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Assembly Proceedings

Official Report

Bengal Legislative Assembly

Seventh Session, 1940

The 5th, 6th, 8th, 9th, 11th and 12th March, 1940.

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GOVERNMENT OF BENGAL.

GOVERNOR OF BENGAL.

His Excellency Sir John Arthur Herbert, G.C.I.E.

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(2) The Hon'ble Khwaja Sir Nazimuddin, K.C.I.E., in charge of the Home Department.

(3) The Hon'ble Sir Bijoy Prasad Singh Roy, in charge of the Revenue Department.

(4) The Hon'ble Nawab Khwaja Habibullah Bahadur, of Dacca, in charge of Public Health (including Medical) and Local Self-Government Departments.

(5) The Hon'ble Maharaja Sris Chandra Nandy, of Cossimbazar, in charge of Communications and Works Department.

(6) The Hon'ble Mr. Huseyan Shaheed Suhrawardy, in charge of Finance, Commerce and Labour Departments.

(7) The Hon'ble Nawab Musharruff Hossain, Khan Bahadur, in charge of the Judicial and Legislative Departments.

(8) The Hon'ble Mr. Prasanna Deb Raikut, in charge of the Forests and Excise Departments.

(9) The Hon'ble Mr. Mukunda Behary Mullick, in charge of the Co-operative Credit and Rural Indebtedness Departments.

(10) The Hon'ble Mr. Tamizuddin Khan, in charge of Agriculture and Industries (including Veterinary) and Rural Reconstruction Departments.

GOVERNMENT OF BENGAL.

PRINCIPAL OFFICERS OF THE BENGAL LEGISLATIVE ASSEMBLY.

SPEAKER.

The Hon'ble Khan Bahadur M. AZIZUL HAQUE, C.I.E.

DEPUTY SPEAKER.

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SECRETARY.

K. ALI AFZAL, Esq., Barrister-at-law.

FIRST ASSISTANT SECRETARY.

Rai N. N. SEN GUPTA Bahadur.

SECOND ASSISTANT SECRETARY.

Khan Sahib QUAZI MUHAMMAD SADRUL OLA.

REGISTRAR.

K. C. GHOSH, Esq.

BENGAL LEGISLATIVE ASSEMBLY

ALPHABETICAL LIST OF MEMBERS.

A

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Abdul Hafiz Mia, Mr. [Kurigram South (Muhammadan).]

Abdul Hakeem, Mr. [Khulna (Muhammadan).]

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Anwarul Azim, Khan Bahadur Md. [Chittagong South (Muhammadan).]

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B

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Barman, Babu Upendra Nath. [Jalpaiguri *cum* Siliguri (General).]
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Birkmyre, Sir Henry, Bart. [Hooghly *cum* Howrah (European).]
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C

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Clark, Mr. I. A. [Burdwan Division (European).]

D

Das, Mr. Mahim Chandra. [Chittagong (General).]
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Dolui, Mr. Harendra Nath. [Jhargram *cum* Ghatal (General).]

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E

Edbar, Mr. Upendranath. [Bakarganj South-West (General).]

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F

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Fazlur Rahman, Mr. [Jamalpur East (Muhammadan).]

Fazlur Rahman, Mr. (Dacca University.)

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G

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Gurung, Mr. Damber Singh. [Darjeeling (General).]

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H

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J

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Kumar, Mr. Atul Chandra. [Malda (General).]

Kundu, Mr. Nishitha Nath. [Dinajpur (General).]

M

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Mafizuddin Ahmed, Dr. [Bogra North (Muhammadan).]

Mafizuddin Ahmed, Maulvi. [Tippera North (Muhammadan).]

Mafizuddin Choudhury, Maulvi. [Balurghat (Muhammadan).]

Maguire, Mr. L. T. (Anglo-Indian.)

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Mandal, Mr. Krishna Prasad. [Midnapore Central (General).]

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Maqbul Hosain, Mr. [Tippera North-East (Muhammadan).]

Marindin, Mr. F. J. [Chittagong Division (European).]

Masud Ali Khan Panni, Maulvi. [Tangail South (Muhammadan).]

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Millar, Mr. C. [Calcutta and Suburbs (European).]

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Mohsin Ali, Mr. Md. [Meherpur (Muhammadan).]

Mookerjee, Dr. Syamaprasad. (Calcutta University.)

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Muhammad Ibrahim, Maulvi. [Noakhali North (Muhammadan).]

Muhammad Ishaque, Maulvi. [Bogra South (Muhammadan).]

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Muhammad Solaiman, Khan Sahib Maulvi. [Barrackpore Municipal (Muhammadan).]

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Mukherjee, Mr. B. [Colliery (Coal Mines) (Labour).]

Mukherji, Dr. H. C. [Calcutta *cum* Presidency Division (Indian Christian).]

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Mullick, Mr. Pulin Behary. [Howrah (General).]

Mullick, Srijut Ashutosh. [Bankura West (General).]

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Mustafa Ali Dewan, Maulvi. [Brahmanbaria North (Muhammadan).]

N

Nandy, the Hon'ble Maharaja Srischandra, of Cossimbazar, (Presidency Landholders.)

Nasarullah, Nawabzada K., Parliamentary Secretary. [Brahmanbaria South (Muhammadan).]

Nasker, Mr. Hem Chandra. [24-Parganas South-East (General).]

Nausher Ali, Mr. Syed. [Jessore Sadar (Muhammadan).]

Nazimuddin, the Hon'ble Khwaja Sir, K.C.I.E. [Calcutta North (Muhammadan).]

Nooruddin, Mr. K. [Hooghly *cum* Howrah Municipal (Muhammadan).]

Norton, Mr. H. R. (Calcutta Trades Association.)

P

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Patton, Mr. W. C. [Darjeeling (European).]

Paul, Sir Hari Sankar. (Bengal National Chamber of Commerce.)

Pramanik, Mr. Tarinicharan. [Malda (General).]

R

Rahman, Khan Bahadur A. M. L. [Rajshahi Central (Muhammadan).]

Raikut, the Hon'ble Mr. Prasanna Deb. [Jalpaiguri *cum* Siliguri (General).]

Rajibuddin Tarafdar, Maulvi. [Bogra East (Muhammadan).]

Ramizuddin Ahmed, Mr. [Tippera West (Muhammadan).]

Ray Choudhury, Mr. Birendra Kishore. [Mymensingh East (General).]

Razaur Rahman Khan, Mr. [Dacca South Central (Muhammadan).]

Roy, Mr. Patiram. [Khulna (General).]

Roy, the Hon'ble Sir Bijoy Prasad Singh. (Burdwan Landholders.)

Roy, Kumar Shib Shekhareswar. (Rajshahi Landholders.)

Roy, Mr. Charu Chandra. [Mymensingh West (General).]

Roy, Mr. Dhananjoy. [Dacca East (General).]

Roy, Mr. Kamalkrishna. [Bankura East (General).]

Roy, Mr. Kiran Sankar. [Dacca West (General).]

Roy, Mr. Kishori Pati. [Jhargram *cum* Ghatal (General).]

Roy, Rai Bahadur Kshirod Chandra. (Chittagong Landholders.)

Roy, Mr. Manmatha Nath. [Howrah (General).]

S

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Safiruddin Ahmed, Haji. [Rangpur North (Muhammadan).]
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Sassoon, Mr. R. M. (Bengal Chamber of Commerce.)
Sen, Mr. Atul Chandra. [Dacca East (General).]
Sen, Babu Nagendra Nath. [Khulna (General).]
Sen, Rai Bahadur Jogesh Chandra. [24-Parganas South-East (General).]
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Shahabuddin, Mr. Khwaja, C.B.E., Parliamentary Secretary. [Narayanganj South (Muhammadan).]
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T

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Walker, Mr. W. A. M. (Indian Jute Mills Association.)

Whitehead, Mr. R. B. (Indian Mining Association.)

Wordsworth, Mr. W. C. (Bengal Chamber of Commerce.)

Y

Yusuf Ali Choudhury, Mr. [Faridpur East (Muhammadan).]

Yusuf Mirza. [24-Parganas Central (Muhammadan).]

Z

Zahur Ahmed Choudhury, Maulvi. [Malda North (Muhammadan).]

Zaman, Mr. A. M. A. [Hooghly *cum* Serampore (Registered Factories) Labour.]

THE BENGAL LEGISLATIVE ASSEMBLY PROCEEDINGS

Official Report of the Seventh Session.

Volume LVI—No. 3.

Proceedings of the Bengal Legislative Assembly assembled under the provisions of the Government of India Act, 1935.

THE ASSEMBLY met in the Assembly House, Calcutta, on Tuesday, the 5th March, 1940, at 4-45 p.m.

Present:

Mr. Speaker (the Hon'ble Khan Bahadur M. AZIZUL HAQUE, C.I.E.) in the Chair, 10 Hon'ble Ministers and 215 members.

STARRED QUESTIONS

(to which oral answers were given)

Wakf estates under the management of Official Receivers.

*175. **Dr. SANAULLAH:** (*a*) Will the Hon'ble Minister in charge of the Education Department be pleased to state the names of the *wakf* estates that are at present under the management of Official Receivers in Bengal?

(*b*) How many of the Receivers are—

(1) Muslims, and

(2) non-Muslims

with the respective dates of their taking over charge of each *wakf* estate?

MINISTER in charge of the EDUCATION DEPARTMENT (the Hon'ble Mr. A. K. Fazlul Huq): Two *wakf* estates of considerable size that are in the hands of Official Receivers are—

(1) *Wakf* of Lutfur Rahman and others; and

(2) *Wakf* of Elahijan Begum.

The following 16 *wakf* estates are in the hands of Receivers appointed by the Courts, 12 of whom are Muslims and 4 non-Muslims. The 4 *wakf* estates which are in the hands of non-Muslims are the biggest.

(1) Aga Karbalai Muhammad.

(2) Haji Ariff Muhammad Talukdar.

(3) Prince Qumar Quader Mirza Muhammad Abid Ali Bahadur.

(4) Misri Khanum.

(5) Sheikh Muhammad Ibrahim Barry.

(6) Minoo Khan.

(7) Md. Kabil Chowdhury.

(8) Jitan Bibi.

(9) Md. Anowar Ali Khan.

(10) Abdus Sayeed.

(11) Prince Golam Muhammad.

(12) Ershad Ali Chowdhury.

(13) Md. Golamuddin Fakir.

(14) Abdul Hakim Khan Chowdhury.

(15) Serazuddin Fakir.

(16) Shaikh Zuman Mistri and Umar Ali Sarkar.

The dates of taking over charge are not readily available.

Irregularity of the passenger train running between Dacca and Kishoreganj.

*176. **Mr. MANOMOHAN DAS:** (*a*) Is the Hon'ble Minister in charge of the Communications and Works Department aware of the fact—

(i) that the only connecting train between Dacca and Kishoreganj which reaches Bhairab from Dacca at 6-30 a.m. occasionally fails to catch the train leaving Bhairab for Mymensingh about the same time and thereby causes detention and unnecessary troubles of passengers for seven hours; and

(*ii*) that sometimes while the Dacca train arrives at Bhairab station, the Mymensingh train leaves the platform then and there without taking the Kishoreganj passengers of the Dacca train though that is almost in the station?

(*b*) If the answers to (*a*) (*i*) and (*ii*) be in the affirmative, will the Hon'ble Minister be pleased to state whether the Government think it desirable to take step to remove such irresponsible traffic and thereby remove the innumerable difficulties of the passengers?

MINISTER in charge of the COMMUNICATIONS and WORKS DEPARTMENT (the Hon'ble Maharaja Srischandra Nandy, of Cossimbazar): (*a*) (*i*) Yes.

(*ii*) The Railway administration have informed me that they are unable to confirm the statement made by the hon'ble member.

(*b*) I understand that action has already been taken to ensure better connections between the trains.

Mr. CHARU CHANDRA ROY: এই প্রশ্নের উত্তর লেখার সময় মাননীয় মন্ত্রী মহাশয় অনুগ্রহ কোরে টাইম্ টেব্‌ল দেখেছিলেন কি?

Mr. SPEAKER: That question does not arise.

Mr. CHARU CHANDRA ROY: Sir, আমার নিবেদন হোচ্ছে এই যে মন্ত্রী-মহাশয় উত্তরে লিখেছেন—The Railway administration have informed me that they are unable to confirm the statement made by the hon'ble member. একথা উনি লিখ্‌তে পারতেন না, যদি time table-এর পৃষ্ঠা খুলে একবার দেখ্‌তেন। Time table-টা দেখ্‌লেই মন্ত্রীমহাশয় জান্‌তেন যে লোকের অনর্থক সাত ঘণ্টা বোসে থাক্‌তে হয়। ওঁদের এই রকমভাবে না দেখে শুনে যা খুসী তাই বোল্লে কাজ চলে না।

The Hon'ble Maharaja SRISCHANDRA NANDY, of Cossimbazar: Sir, I am afraid that the honourable member is mistaken. In reply to question (*a*)(*i*), I have said "Yes". It is with regard to (*a*)(*ii*), that I have said that the Railway administration have informed me otherwise.

Mr. CHARU CHANDRA ROY: আমার কথা হোচ্ছে এই যে Railway administration এর কথার উপর নির্ভর কোরেই উত্তরটা লেখা হোয়েছে কিন্তু প্রকৃত প্রস্তাবে যদি টাইম্‌টেবল্ দেখা হতো তাহলেই উনি জান্‌তেন যে ৭ ঘণ্টা দাঁড়াতে হয় এটা সত্য কি না?

The Hon'ble Maharaja SRISCHANDRA NANDY, of Cossimbazar: There is no question of detention in (*a*)(*ii*). One leaves very quickly —that is the charge.

Improvement in the Guru Training School at Gaibandha.

***177. Maulvi ABU HOSSAIN SARKAR:** (*a*) With reference to the reply to starred question No. 403 of the 7th April, 1938, will the Hon'ble Minister in charge of the Education Department be pleased to state what further step, if any, has since been taken to improve the Guru Training School at Gaibandha?

(*b*) Is the Hon'ble Minister aware that there is a demand for an improved type of training school?

The Hon'ble Mr. A. K. FAZLUL HUQ: (*a*) A scheme for the admission of ten additional *gurus* in this Guru Training School has since been approved by Government, but it has not been found possible to provide the necessary funds in the budget for 1940-41.

(*b*) I was not aware of such a demand, but recently at the request of the honourable member himself, the Director of Public Instruction has been asked to consider what improvements can be effected to the Guru Training School at Gaibandha.

Recovery of wakf estates under adverse possession.

***178. Dr. SANAULLAH:** (*a*) Will the Hon'ble Minister in charge of the Education Department be pleased to state whether there are any *wakf* properties yet under adverse possession of—

(*i*) Government;

(*ii*) Municipality;

(*iii*) other public bodies; and

(*iv*) private person or persons?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state what action do the Government propose to take for their recovery?

(*c*) If no action is proposed to be taken will the Hon'ble Minister be pleased to state the reason therefor?

The Hon'ble Mr. A. K. FAZLUL HUQ: Enquiries are being made by, and action is under the consideration of, the Board of Wakfs.

Public wakfs in the Chittagong Division and their charities.

*179. **Dr. SANAULLAH:** (*a*) Will the Hon'ble Minister in charge of the Education Department be pleased to state—

(*i*) the number of public *wakfs* in Chittagong Division;

(*ii*) the percentage of the net income payable by each of the said public *wakfs* towards public charitable purposes;

(*iii*) the total amount available at present from these *wakfs* for public charitable purposes; and

(*iv*) the amount available specially for educational purposes according to the—

(1) terms of the *wakf* deeds, and

(2) decision of the Commissioner under section 28 of the Bengal Wakf Act, 1934?

(*b*) Will the Hon'ble Minister be pleased to state whether the mounts available on these heads have actually been spent?

(*c*) If so, how has it been spent?

(*d*) If the amounts referred to in (*b*) have not been actually spent, hat are the reasons?

(*e*) What steps do the Government propose to take to ensure the se of charity allotments of the public *wakfs* in terms of the deeds?

The Hon'ble Mr. A. K. FAZLUL HUQ: (*a*)(*i*) 1,377 estates have so far been enrolled as public *wakfs* in the Chittagong Division.

(*ii*) to (*iv*) The particulars desired are not readily available, and I am afraid it will not be possible to collect them within the compass of reasonable time, labour and expense.

(*b*) to (*e*) The audit of the accounts of these *wakfs* has not been finished and the information required is not therefore available at present.

Publication of the list of text-books for junior madrasahs.

*180. **Maulvi MD. ISRAIL:** (*a*) Will the Hon'ble Minister in charge of the Education Department be pleased to state—

(*i*) when the list of books prescribed for Class VI of the junior madrasahs for the year 1940 was published; and

(*ii*) whether the list of the prescribed books for Class VI is generally published in the last week of January?

(*b*) Is the Hon'ble Minister aware that such late publication causes hardship to the student concerned?

(*c*) If the answer to (*b*) is in the affirmative, will the Hon'ble Minister be pleased to state the reason for such delay in publishing the list?

(*d*) Are the Government considering the desirability of publishing the list earlier in future?

The Hon'ble Mr. A. K. FAZLUL HUQ: (*a*) (*i*) The list was published in the *Calcutta Gazette* of the 11th January, 1940.

(*ii*) No.

(*b*) Yes.

(*c*) The list is generally published and circulated to heads of madrasahs in December This year there was some delay in selecting the text-books.

(*d*) Yes, steps will be taken to publish the list earlier, in future.

Grievances of Muslim ministerial officers of the Civil Courts at Barisal.

***181. Khan Sahib Maulvi SYED MD. AFZAL:** (*a*) Will the Hon'ble Minister in charge of the Judicial Department be pleased to state whether the Government have received a representation from the public bodies embodying the grievances of the Muslim ministerial officers of the Civil Courts at Barisal?

(*b*) If so, what action have the Government taken or do they propose to take in the matter?

MINISTER in charge of the JUDICIAL DEPARTMENT (the Hon'ble Nawab Musharruff Hossain, Khan Bahadur): (*a*) Yes

(*b*) The matter is under consideration.

Khan Bahadur SHAH ABDUR RAUF: With reference to answer (*a*), will the Hon'ble Minister be pleased to state the time when the representation was received by Government?

The Hon'ble Nawab MUSHARRUFF HOSSAIN, Khan Bahadur: I think, about a week ago.

Appointments of Assistant Directors of Public Instruction, Bengal.

*182. **Maulvi MOSLEM ALI MOLLAH:** (*a*) Will the Hon'ble Minister in charge of the Education Department be pleased to state—

(*i*) when were Khan Bahadur Maulvi Abdur Rahaman Khan and Khan Sahib Mr. Badiur Rahaman appointed Assistant Directors of Public Instruction, Bengal;

(*ii*) when were they confirmed in the post of Divisional Inspector of Schools; and

(*iii*) whether there were any men in the Bengal Educational Service cadre senior to them in length of service before their appointment as Assistant Directors of Public Instruction?

(*b*) If the answer to (*a*) (*iii*) is in the affirmative, will the Hon'ble Minister be pleased to state the names of those who have been superseded by them with reasons for such supersession?

The Hon'ble Mr. A. K. FAZLUL HUQ: (*a*) (*i*) Khan Bahadur Maulvi Abdur Rahaman Khan was appointed as Assistant Director of Public Instruction on the 1st July, 1939, and Khan Sahib Mr. Badiur Rahaman as Assistant Director of Public Instruction for Muhammadan Education on the 3rd July, 1939.

(*ii*) The former was confirmed as a Divisional Inspector of Schools on the 16th March, 1937, and the latter was not. Both were, however, permanent members of the Bengal Senior Educational Service.

(*iii*) As at the time of their appointment as Assistant Directors of Public Instruction, they were permanent members of the Bengal Senior Educational Service, the question of seniority in relation to the officers of the Bengal Educational Service does not arise. There were a number of officers in the Bengal Senior Educational Service senior to them in length of service.

(*b*) Such administrative posts are invariably filled by officers specially chosen on account of their fitness for the posts.

Mr. ATUL CHANDRA SEN: With reference to answer (*a*)(*iii*), in which it has been said that "there were a number of officers in the Bengal Educational Service senior to them in length of service", will the Hon'ble Minister be pleased to state the names of the officers and their educational and other qualifications?

The Hon'ble Mr. A. K. FAZLUL HUQ: I must have notice. I cannot say off-hand as I have not got the list with me.

Mr. ATUL CHANDRA SEN: With reference to answer (*b*), will the Hon'ble Minister be pleased to state what is the special fitness of Khan Bahadur Maulvi Abdur Rahaman Khan that gave him a lift over the head of his seniors?

Mr. SPEAKER: That question does not arise.

Travelling allowance paid to Hon'ble Ministers.

***183. Mr. MD. ABUL FAZL:** Will the Hon'ble Minister in charge of the Finance Department be pleased to state the amounts that have been spent by the Provincial Government as travelling allowance of each of the Ministers from the 1st April, 1937, to the 14th February, 1940?

MINISTER in charge of the FINANCE DEPARTMENT (the Hon'ble Mr. H. S. Suhrawardy): A statement is laid on the table.

Statement referred to in the reply to starred question No. 183, regarding the travelling allowance paid to Hon'ble Ministers from 1st April, 1937, to date (24th February, 1940).

	Rs.	a.
The Hon'ble Chief Minister and Minister of Education and Publicity ...	15,853	7
The Hon'ble Finance Minister ...	4,271	0
The Hon'ble Home Minister ...	5,043	3
The Hon'ble Revenue Minister ...	7,026	6
The Hon'ble Minister, Local Self-Government and Industries ...	12,163	4
The Hon'ble Minister, Communications and Works	6,820	3
The Hon'ble Minister, Commerce and Labour	8,105	6
The Hon'ble Minister, Judicial and Legislative	3,923	8
The Hon'ble Minister, Forests and Excise	5,475	8
The Hon'ble Minister, Co-operative Credit and Rural Indebtedness ...	5,803	12
The Hon'ble Minister, Public Health, Medical, Agriculture and Veterinary ...	5,159	12

Number of Assistant Registrars, Co-operative Societies.

*184. **Mr. SIBNATH BANERJEE:** (*a*) Will the Hon'ble Minister in charge of the Co-operative Credit and Rural Indebtedness Department be pleased to state whether it is a fact that the number of Assistant Registrars has been raised from five to seventeen, last year?

(*b*) What are the specific duties for which the number of Assistant Registrars has been increased?

(*c*) What has been the additional cost to this department due to this change?

(*d*) Did the Government before increasing the number consider the question whether the same purpose could be served by increasing the number of Inspectors and Auditors?

MINISTER in charge of the CO-OPERATIVE CREDIT and RURAL INDEBTEDNESS DEPARTMENT (the Hon'ble Mr. Mukunda Behary Mullick): (*a*) Yes.

(*b*) All the duties of the Registrar under the Co-operative Societies Act subject to the general control of the Registrar, excepting the following matters regarding which orders are passed by the Registrar himself:—

(1) liquidation of a co-operative society;

(2) permission to time-barred directors of central and other important societies to seek re-election at Annual General Meetings; and

(3) approval and countersignature of requisitions for certificates for recovery of dues of liquidated societies and Land Mortgage Banks.

(*c*) Rs. 1,63,157.

(*d*) Government considered that the purpose of increasing the number of Assistant Registrars could not be served by merely increasing the number of Inspectors and Auditors.

Mr. SIBNATH BANERJEE: Will the Hon'ble Minister be pleased to state in what respects there has been definite improvement in the working of the department by increasing the number of Assistant Registrars by 34 per cent. and also cite specific instances?

The Hon'ble Mr. MUKUNDA BEHARY MULLICK: In the way of general control and also in giving a proper nursing to the societies.

Vacancies filled up by promotion and direct recruitment in each Department of Bengal Government since April, 1939.

***185. Dr. NALINAKSHA SANYAL:** (*a*) Will the Hon'ble Minister in charge of the Finance Department be pleased to lay on the table a statement showing for the period from April, 1939, to the latest available date—

(*i*) the number of vacancies, permanent and temporary, that have been filled up by—

(1) direct recruitment, and

(2) promotion,

in the various classes of posts under each Department of Government; and

(*ii*) the number of—

(1) Muslims,

(2) Scheduled Castes,

(3) Anglo-Indians,

(4) Hindus, and

(5) others,

who have been appointed to fill up the vacancies mentioned above, either temporarily or permanently?

(*b*) Has the decision of Government regarding the communal representation in the public services as notified in the Press Communique, dated the 12th June, 1939, been followed in making those appointments in each Department; if not, why not?

The Hon'ble Mr. H. S. SUHRAWARDY: Information is being collected and the answer to the question will be communicated to the member later.

UNSTARRED QUESTIONS

(to which answers were laid on the table)

Allowances of primary school teachers under training.

75. Khan Sahib HAMIDUDDIN AHMED: (*a*) Will the Hon'ble Minister in charge of the Education Department be pleased to state whether it is a fact—

(*i*) that the primary school teachers under training in Government training centres are granted Rs. 10 each as monthly allowance; and

(*a*) that those in centres attached to high English schools under the new scheme are allowed Rs. 5?

(*b*) If the answer to (*a*) (*ii*) is in the affirmative, will the Hon'ble Minister be pleased to state the reason for this differential treatment?

(*c*) Is the Hon'ble Minister considering the desirability of increasing the monthly allowance of the latter class of teachers to Rs. 10?

The Hon'ble Mr. A. K. FAZLUL HUQ: (*a*) Yes.

(*b*) As the successful students will find employment on a scale of pay suitable in rural areas, the rate of the stipendiary allowance has been reduced to half, in order to keep down the cost of the scheme.

(*c*) No.

Construction of Jhenida-Magura Road in Jessore.

76. Maulvi WALIUR RAHMAN: (*a*) Will the Hon'ble Minister in charge of the Communications and Works Department be pleased to state—

(*i*) whether any allotment has been made to the third section of the Jhenida-Magura Road;

(*ii*) whether it is a fact that some culverts in the section have been left incomplete for an indefinite period;

(*iii*) when the road was taken up on the recommendation of the Road Development Committee;

(*iv*) how much of the road has been completed up till now; and

(*v*) when the work is expected to be completed?

(*b*) Does the Hon'ble Minister contemplate the desirability of expediting the completion of the road?

(*c*) Will the Hon'ble Minister be pleased to state—

(*i*) what is the cost of Dhopaghata bridge on the road;

(*ii*) what is the cost of the protection charge of the bridge; and

(*iii*) whether some diverted *khals* have been made to minimise the fury of the current of the *khal*?

(*d*) If the answer to (*c*) (*iii*) is in the affirmative, will the Hon'ble Minister be pleased to state whether bridges have been constructed over the diverted *khals*.

The Hon'ble Maharaja SRISCHANDRA NANDY, of Cossimbazar: (*a*) (*i*) and (*ii*) No, the third section of the road has not yet been taken up.

(*iii*) Work on the first section of the road (7⅜th miles) was begun by the Jessore District Board in 1932; the Communications and Works Department took over the work in 1938.

(*iv*) and (*v*) The first section will be completed this year and the second covering about 6½ miles probably in 1941-42. The third section covering about 3½ miles has recently been passed by the Provincial Board of Communications and will be taken up after the Government of India's approval has been obtained and funds have been provided for the purpose.

(*b*) Every endeavour is being made to expedite the completion of the road.

(*c*) (*i*) Rs. 90,000.

(*ii*) Rs. 1,90,653.

(*iii*) Yes, the Nagorbathan *khal* and the Dingamora *khal* have been revived for the purpose.

(*d*) Yes, bamboo foot bridges have been constructed in places.

Mr. ATUL KRISHNA GHOSE: With reference to answer (*c*)(*ii*), will the Hon'ble Minister be pleased to state the reasons for the abnormal amount of Rs. 1,90,653 incurred as repairing charges of that bridge which, I understand, cost only Rs. 90,000?

The Hon'ble Maharaja SRISCHANDRA NANDY, of Cossimbazar: May I draw the attention of the honourable member to the question itself—protection work really means protective work.

Mr. ATUL KRISHNA GHOSE: Is it not a fact that during the last flood when the Dhopaghata bridge was damaged a huge amount was spent over it and will the Hon'ble Minister let us know what was the amount spent for the repair charges alone?

The Hon'ble Maharaja SRISCHANDRA NANDY, of Cossimbazar: Sir, I am afraid I can give no other information save and except that I have given in my reply to (*c*)(*i*) which shows the cost of the bridge and the other amount shown in (*c*)(*ii*) is for protective work which means partly training the river and partly diverting the water by other channels referred to in my reply (*c*)(*iii*).

Mr. ATUL KRISHNA GHOSE: Will the Hon'ble Minister please tell us whether it is a fact that the repairing charges of that particular bridge up to this date have gone far more than the capital expenditure of that bridge?

The Hon'ble Maharaja SRISCHANDRA NANDY, of Cossimbazar: I do not think that is a fact.

Muslim and non-Muslim percentages in appointments made under the Jute Registration Scheme.

77. Mr. MIRZA ABDUL HAFIZ: Will the Hon'ble Minister in charge of the Agriculture and Industries Department be pleased to lay on the table a statement showing the number of—

(*a*) Muslims, and

(*b*) non-Muslims,

that have been appointed as—

(1) Chief Inspectors,

(2) Inspectors,

(3) Assistant Inspectors,

(4) Section Officers,

(5) Area Copyists, and

(6) Primary Recorders,

in connection with Jute Registration in Bengal—

(*A*) from each district,

(*B*) for each district,

(*C*) from Mymensingh,

(*D*) for Mymensingh,

(*E*) from the subdivision of Tangail, and

(*F*) for the subdivision of Tangail?

MINISTER in charge of the AGRICULTURE and INDUSTRIES DEPARTMENT (the Hon'ble Mr. Tamizuddin Khan): As regards the Muslims and non-Muslims appointed for each district a statement is placed on the Library table.

A statement regarding appointments made for Tangail subdivision is placed on the table. The information regarding the appointments of Muslims and non-Muslims to the various posts from the various districts

including Mymensingh and from Tangail subdivision is not readily available and its collection cannot be undertaken by the jute registration staff now without serious detriment to their normal work.

Statement referred to in the reply to unstarred question No. 77, regarding appointments of jute restriction staff for Tangail subdivision.

	Muslims.	Non-Muslims.
Chief Inspector	1	..
Inspectors	1	2
Assistant Inspectors ..	10	6
Area Section Officer ..	1	..
Area Copyist	1	1
Primary Recorders ..	56	47

Wakf estates under the management of Official Receivers.

78. Maulvi MAFIZUDDIN AHMED: (*a*) Will the Hon'ble Minister in charge of the Education Department be pleased to state the names of the *wakf* estates that are at present under the management of Official Receivers in Bengal?

(*b*) How many of the Receivers are—

(*i*) Muslims, and

(*ii*) non-Muslims?

The Hon'ble Mr. A. K. FAZLUL HUQ: The member is referred to the reply given by me to starred question No. 175 by Dr. Sanaullah.

Recovery of wakf estates under adverse possession.

79. Maulvi MAFIZUDDIN AHMED: (*a*) Will the Hon'ble Minister in charge of the Education Department be pleased to state whether there are any *wakf* properties yet under adverse possession of—

(*i*) Government,

(*ii*) Municipality,

(*iii*) other public bodies, and

(*iv*) private person or persons?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state what action the Government propose to take for recovery of their possession?

(*c*) If no action is proposed to be taken, will the Hon'ble Minister be pleased to state the reason therefor?

The Hon'ble Mr. A. K. FAZLUL HUQ: The member is referred to the reply given by me to starred question No. 178 by Dr. Sanaullah.

Maulvi MAFIZUDDIN AHMED: Will the Hon'ble Minister be pleased to state with reference to answer given to starred question No. 178 what action Government is thinking to take in respect of properties which are in the possession of private persons?

The Hon'ble Mr. A. K. FAZLUL HUQ: Sir, as I have said, action is being considered by the Board of Wakfs and it is impossible for me to say what action they will take.

Public wakfs in the Chittagong Division and their charities.

80. Maulvi MAFIZUDDIN AHMED: (*a*) Will the Hon'ble Minister in charge of the Education Department be pleased to state—

(*i*) the number of public *wakfs* in Chittagong Division;

(*ii*) the percentage of the net income payable by public *wakfs* towards public charitable purposes;

(*iii*) the total amount available from these *wakfs* for public charitable purposes; and

(*iv*) the amount available specially for educational purposes according to the—

(1) terms of *wakf* deeds, and

(2) decision of the Commissioner under section 28 of the Bengal Wakf Act, 1934?

(*b*) Will the Hon'ble Minister be pleased to state whether the amount available on these heads have actually been spent?

(*c*) If so, how has it been spent?

(*d*) If the amounts referred to in (*b*) have not been actually spent, what are the reasons?

(*e*) What steps do the Government propose to take to ensure the use of charity allotments of the public *wakfs* in terms of the deeds?

The Hon'ble Mr. A. K. FAZLUL HUQ: The member is referred to the reply given by me to starred question No. 179 by Dr. Sanaullah.

Early Consideration of Bengal Non-Agricultural Tenancy Bill.

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Sir, may I at this stage suggest that the consideration of the Bengal Non-Agricultural Tenancy Bill may be taken up to-morrow one hour before you close the discussions on the cut motions on the general administration. In this connection may I draw your attention to sub-clause 3 of section 15 of the Governor's Rules?

Mr. SPEAKER: I am quite prepared to take it up after the usual hours, but I do not think I can cut short the budget discussion for the purpose of taking a Bill.

The Hon'ble Sir BIJOY PRASAD SINGH ROY: The rule, Sir, definitely vests you with the power to do so.

Mr. SPEAKER: Quite so, but you must satisfy me why I should use that power. Once a year members get time to discuss the budget demands and I do not think I can cut it down. Had it been any other demand I could have considered it.

The Hon'ble Sir BIJOY PRASAD SINGH ROY: The justification of my proposal is that this is an emergent measure and Government hopes to place it on the Statute Book within this Session. The Bill will have to be passed by this House and will have to be taken to the other House for consideration.

Mr. SPEAKER: It is very difficult for me to take away the right from the Opposition. I can certainly do this. I can sit up to 8 so far as the Budget is concerned and thereafter if the members do not object, I can carry on with the Bill.

Mr. SASANKA SEKHAR SANYAL: Sir, may I remind you of the procedure you adopted on General Administration in the last Budget Session? You were pleased to extend the time in order to give facilities for discussion of the important questions that were before the House. We have full sympathy with the anxiety of the Hon'ble Minister to get through the Bill.

Mr. SPEAKER: I do not think there will be any objection if it is taken on any other day than General Administration.

Mr. JOGESH CHANDRA GUPTA: Sir, I received a letter from the Chief Whip of the Government Party with regard to the taking up of this Bill as an emergent measure under section 15(3). I informed him that we cannot possibly curtail the time of the Budget discussion and agree to an hour being deducted from that. I think we ought to be quite clear on that point. That section which empowers the Speaker to take up some emergent matter only an hour before the closing time does not refer to Bills which are introduced in the Legislature and which have gone to the Select Committee. I submit those are emergent matters outside the ordinary course of legislation and it is a very well-known practice that during Budget Session generally the budget is discussed. Legislation has always a secondary place and we ought to establish the tradition here that during Budget Session we must attend to the Budget and the cut motions. If there is to be an introduction period we ought to have a session where legislation ought to be considered. We do not agree to this legislation being considered during the Budget Session.

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Sir, I fully appreciate the point which the honourable member has tried to make out but I still maintain that this is a very important legislation and it is an emergent legislation and the rule definitely empowers you to cut short the discussion by one hour. I therefore suggest that you may kindly exercise that power.

Mr. K. SAHABUDDIN: Sir, may I submit one point? My friend Mr. Gupta says that this section refers to emergent measures, but I do not find any mention of the word "emergent" there. It has given very wide powers to you, Sir, to suspend the Budget discussion and take up any other matter. This is the first point. The second point is that the Government had allotted more than two days and they are hoping that they will be able to take up this piece of legislation before we reach the voting on demands. Unfortunately that has been delayed and we have not been able to take it up. Although my friend is denying the fact he knows and I would like to have it from him whether he would like this piece of legislation to be delayed and he would like to obstruct the passage of the Non-Agricultural Tenancy Bill——(Cries of "Question", "Question" and "withdraw", "withdraw" from Opposition Benches).

Dr. NALINAKSHA SANYAL: Sir, we entirely depend upon you and we do not want to be coerced by Government.

Mr. SPEAKER: All I say is that the Parliamentary Secretary is committing the greatest tactical blunder by putting things like this.

The Hon'ble Mr. A. K. FAZLUL HUQ: May I point out to the House that although so much has been said nothing has been said in this House yet as to what this piece of legislation is. Let me tell the House that this legislation means to confer on non-agriculturists in municipal areas something like permanent rights. I take it that all sections of the House are agreed that this measure would be a very beneficial measure and I take it that we all agree that this should be passed into law. The only objection that has been raised is from my friends of the Congress Group and I would ask them to consider if they are going to take upon themselves the responsibility of not allowing——

Dr. NALINAKSHA SANYAL: On a point of order. Are we going to be coerced by Government? We are not going to have any threats from the Chief Minister.

Mr. SPEAKER: Will you please sit down?

Dr. NALINAKSHA SANYAL: We want to have your ruling and not the Chief Minister's threat.

Mr. SPEAKER: Dr. Sanyal, my first ruling is that you should behave yourself properly. I do not see any harm in the Chief Minister's language. What he said was as to whether the Opposition will take the responsibility of delaying the measure. That is perfectly legitimate and parliamentary language.

Dr. NALINAKSHA SANYAL: Sir, the Chief Minister has no business to cast reflections.

The Hon'ble Mr. A. K. FAZLUL HUQ: Sir, I am going to make an appeal. Let us all agree that this Bill should be considered. How to do it should be decided by agreement and let us not put the Speaker in an awkward position of having to decide the question as to when to do it and how to do it.

Mr. JOGESH CHANDRA GUPTA: Mr. Speaker, Sir, may I inform the House that the Bill regarding non-agricultural tenancy matter was introduced by members of this side of the House. (Laughter from the Coalition Benches.)

Mr. SPEAKER: Members of the Coalition Benches ought to realise that if they really want a measure like this, they will not get the Opposition with them by laughing at and ridiculing them. There is no need for this sort of interruption. There are of course occasions when you may do it. But when you want the Opposition to yield, it is not tactical on your part to adopt an attitude like this.

Khan Sahib Maulvi SYED MUHAMMAD AFZAL: It was Dr. Sanyal's remark that provoked our laughter.

Mr. JOGESH CHANDRA GUPTA: Sir, with regard to the necessity of this legislature considering a Bill of that kind there is no difference of opinion. The only question which arises now is: before that Bill can be introduced whether the exigencies in a particular district to which I also have the honour to belong along with the Chief Whip of the Government should be taken as such an emergent measure that it will prevent the ordinary work of the budget session. That is the only question we have got to consider. Government are now trying by bringing in this stop-gap measure, if I may say so, to prevent execution of certain proceedings in a court of law. Well, our side thinks that if we allow that, there would not be the same motive for expediting this Bill on behalf of the Government benches as there is on this side. But at any rate, the main point is whether during the budget session the Speaker is to be asked to curtail the budget discussion.

Sir, the next question is that we do not want to curtail the time. We want some extra time to be given. That is a matter which will be governed by your consent.

Mr. Khwaja SHAHABUDDIN: May I, Sir, suggest a compromise?

Dr. NALINAKSHA SANYAL: Sir, the Hon'ble the Chief Minister has made an appeal for a compromise. We are perfectly prepared to see how best we can accommodate him. We have always found—this is not the first occasion—that every time we have a non-official resolution or a non-official Bill, and there are opportunities for non-official members to criticise the action of Government, the Government party somehow or other has tried to baulk the discussion. We appeal to the Chief Minister to give us the fullest liberty to discuss the action of Government, without infringing on our right of moving cut motions. If even after this Government find time, we shall be prepared to consider this matter. May I suggest that we meet on Saturday afternoon in addition to Saturday morning to finish this emergent business?

Mr. SPEAKER: I might suggest a sort of compromise which should be discussed between different parties. My attention has been drawn to the fact that there is one resolution which the Opposition wants very particularly to take up. That is a special resolution which has been given notice of by the Opposition regarding the revision of the Otto Niemeyer Award by an Order-in-Council. The Opposition desire that even though we are in the midst of the budget, some sort of

arrangement might be made by which the opinion of the House should be made available to the advisers of His Majesty the King. That is a matter which, I consider in view of the Opposition's desire, should be looked into.

The second point is about this Bill. What I would suggest is that either we meet on Saturday afternoon or on any other day after the usual budget time, i.e., after 8 p.m. I suggest that we continue till the Bill is finished including the other matter Government has given consent to it. So I think, if the two Whips meet at a tea table in a very friendly spirit, they will be able to come to some sort of agreement. (Laughter.)

Mr. Khwaja SHAHABUDDIN: Unfortunately, Sir, my experience is disappointing. Unless we are asked by you to meet in your room, I do not see any hope of agreement. (Laughter.)

Mr. SPEAKER: I would certainly invite both the Whips in my room. There is only one difficulty. The House will kindly pardon me; there is a special matter for which my presence is necessary from 6-30 p.m. to 7-15 p.m. But that need not interfere with the business of the House. What I propose is to begin the discussion immediately and the discussion will go on with the Deputy Speaker in the Chair. And the two Whips will meet in my room to discuss this matter.

There is one other point. Government has fixed 30th March for supplementary demand and it is only this morning that somebody drew my attention to this fact.

Mr. Khwaja SHAHABUDDIN: What is wrong, Sir?

Mr. SPEAKER: 30th March is a Saturday. If there is to be any meeting on Saturday after the budget is over, I should have been consulted.

Mr. Khwaja SHAHABUDDIN: Sir, we were under the impression that we could take up supplementary demand immediately after the voting on demands was over, and naturally we fixed the 30th March for this purpose, without realising that it was a Saturday. We are very sorry, Sir, that we did not consult you previously.

Mr. SPEAKER: Anyway, we shall see what can be done in the matter.

May I know how long will the discussion on the first motion take—two hours or one hour?

Dr. NALINAKSHA SANYAL: The first motion should not take more than one hour.

Mr. SPEAKER: It is about retrenchment. Perhaps members would like to speak at length on it.

Dr. NALINAKSHA SANYAL: I do not think so, Sir, because we will simply continue discussion on an important subject.

Mr. SPEAKER: I want to know that to adjust my absence.

Dr. NALINAKSHA SANYAL: If you will kindly permit me I would suggest that the first two motions might be taken up before you go, and the third motion can be taken up later on.

Mr. SPEAKER: I propose to take up the second motion at 7-30 p.m.

Dr. NALINAKSHA SANYAL: Why not immediately after the prayer adjournment?

Mr. SPEAKER: That is the time when I want to go. Is it likely that you would call a division on the first motion?

Dr. NALINAKSHA SANYAL: No, Sir.

Mr. SPEAKER: If that is settled, I think the first motion may be taken up just now and the second motion may be taken up immediately after the prayer interval. As a division will not be called on the first motion, I think it will be all right.

The Hon'ble Khwaja Sir NAZIMUDDIN: Is the third motion coming up to-day, Sir?

Mr. SPEAKER: Possibly.

Dr. NALINAKSHA SANYAL: Yes, to-day; otherwise to-morrow's discussion will be a bit more prolonged.

Mr. SPEAKER: Personally what I feel is this: will it not be better if motions Nos. 4 and 5 are taken up immediately after Mr. Datta's motion is finished. After that you can take up motion No. 3.

Dr. NALINAKSHA SANYAL: Yes, Sir.

Sir, the motions given notice of are Nos. 75 and 79. Both will have to be taken up although by mistake only No. 75 has been mentioned.

Mr. SPEAKER: That I shall see later on. For the time being I suggest that Mr. Datta should move his motion; after him Mr. Khagendra Nath Das Gupta on Jalpaiguri. After that Mr. Sasanka Sekhar Sanyal's motion on the Government's policy of discrimination will be taken up. This motion will take a little time and is not likely to be finished to-day.

The Hon'ble Khwaja Sir NAZIMUDDIN: Why not, Sir, take motion No. 2 afterwards and let the discussion continue on No. 3?

Mr. SPEAKER: We shall finish Mr. Datta's motion about the prayer interval time.

The Hon'ble Khwaja Sir NAZIMUDDIN: I do not know why the order of motions that has been given will not be followed. I do not of course mind if that is not done.

Dr. NALINAKSHA SANYAL: But what is your objection? If that suits the Hon'ble Speaker I think the order suggested by him now should be agreed to. Besides, it will also suit everybody.

Mr. SPEAKER: After we re-assemble after prayer amendments Nos. 4 and 5 may be taken together.

Dr. NALINAKSHA SANYAL: As a matter of fact I feel that the Hon'ble Sir Nazimuddin does not know why Mr. Speaker is anxious to change the order. I think Mr. Speaker desires that a division may be called later on. There may be no division on amendments Nos. 4 and 5 but there may be a division on No. 3.

Mr. SPEAKER: It depends on the exigencies of the case.

DEMAND FOR GRANT.

25—General Administration—General Administration.

The Hon'ble Khwaja Sir NAZIMUDDIN: On the recommendation of His Excellency the Governor, I beg to move that a sum of Rs. 1,19,26,000 be granted for expenditure under the head "25—General Administration."

Mr. DHIRENDRA NATH DATTA: Mr. Speaker, Sir, I beg to move that the demand of Rs. 1,19,26,000 under the head "25—General Administration" be reduced to Rs. 100.

Sir, I am afraid that the subject *viz.*, the failure of the Government in affecting retrenchments, is so vast and varied that it cannot be adequately discussed within the short period of time that has been allotted to me. Sir, the expenditure under the head "25—General Administration" can be divided into different heads. Firstly, the expenditure on the Governor; this expenditure runs to about Rs. 8 lakhs and odd and this expenditure is also sacrosanct; it cannot be touched——

The Hon'ble Mr. H. S. SUHRAWARDY: On a point of order, Sir. May I, as a matter of retrenchment, ask you, Sir, that this loudspeaker be put off?

Mr. SPEAKER: Since you have drawn my attention to that I think it is time that I should say in the presence both of the Hon'ble Home Minister and the Hon'ble Public Works Department Minister— (Dr. NALINAKSHA SANYAL: And not the Electricity Minister?) Well, I do not know who is the expert electrician here, but I may say that on the day of the indirect election in the Tea Room all electric lights suddenly failed in one part of the room creating very great difficulty and inconvenience and we had to make makeshift arrangements. To my surprise yesterday in the evening when I was sitting in my chamber a loud sound came out and the wiring burst open and the whole light was cut off. Moreover the division bell too was not properly ringing. I do not know what is the matter. These are really important matters in connection with orderly business of the House and I should like the matter to be gone into, for otherwise there would be very great difficulty and danger too.

The Hon'ble Maharaja SRISCHANDRA NANDY, of Cossimbazar: Sir, since you drew my attention to this matter I had the whole matter examined thoroughly. On account of the concealed system of wiring in this building and that too being fairly old it is extremely difficult to attend to any defect in the wiring. It seems that the entire wiring needs to be entirely overhauled and my department is preparing estimates for the same and they will be put up before the Home Department for their concurrence.

As regards the division bell as soon as you drew my attention to it I had it tested. The division bell was all right, but the difficulty which was felt was due to the fact that there was no division bell in the Committee Room, and a provision has already been made for this. In fact my department has been asked to provide a bell in the Committee Room at once.

As regards other matters such as the cooling system, etc., I shall inform you about the details of the results of our investigation later on in your chamber.

Mr. SPEAKER: Yes, Mr. Datta?

Mr. DHIRENDRA NATH DATTA: Sir, I was just speaking about the expenditure under the head "Ministers". On this head the expenditure is Rs. 4,85,000. But my submission is that there is ample room for effecting retrenchment under this head. I shall now make certain constructive suggestions though I am sure that they will not be accepted. The number of Ministers can be reduced. There is absolutely no reason why there should be a separate Minister for the Department of Forest and Excise. This Department can very well go to the Revenue Department. The next thing that strikes me is the expenditure on the head "Parliamentary Secretaries" which accounts for Rs. 22,800. I find that the Parliamentary Secretaries are doing the same work as they used to do before. Sir, it is said that it is a popular Government—Government of the people, by the people and for the people. But, Sir, it seems to me that it is a Government by a certain family—by the members of the Dacca family, for the benefit of certain members of that community. Then, Sir, when we come to the travelling allowance of Ministers, we find that expenditure under that head is Rs. 75,000. I am fully aware that the Ministers should travel in the rural areas in order to come into contact with the rural population in order to understand their needs, but as a matter of fact this travelling allowance is not resorted to for that purpose, but for political purposes. I want to relate only one incident that happened at Comilla. In October, 1939, Dr. Syamaprosad Mookerjee went on a visit to Comilla as a Hindu Mahasabha worker. He went there as a Mahasabha worker, leader and organiser and he organised meetings there. Besides being a Mahasabha leader Dr. Mookerjee is also an educationist, being an ex-Vice-Chancellor of the Calcutta University and so he was invited by the school authorities as well as by the college authority and I know that he was invited in consultation with the students union—it is unfortunate, Sir, that there are in this unfortunate country Hindu Students Unions and Muhammadan Students Unions and he was invited by both sections of the Unions. When he was going to the college some Muslim miscreants stoned at him. He was assaulted and the police was informed and the Superintendent of Police and the Additional District Magistrate arrived on the spot. Fortunately, both these officers were Muhammadans—one belonging to the Imperial Police Service and the other to the Indian Civil Service. They came to the spot and asked the hooligans to disperse. They refused to disperse and as a matter of fact the Superintendent of Police and the Additional District Magistrate declared the assembly an unlawful assembly, and when they refused to disperse, force was used, just the force that was necessary to diperse. During the course of the struggle some people were assaulted, but as a matter of fact immediately after this the students wired to the Hon'ble Chief Minister, and the Hon'ble Chief Minister hurried to

Comilla at the expense of the rate-payers of Bengal. So, I say that there is ample scope for retrenchment under the head of travelling allowance.

Coming to the Provincial Legislature on this head the expenditure is Rs. 12,86,000, and here also there is no doubt that the scope for retrenchment is very large. The hours of work can be increased. I am really of opinion that we can work at least for five hours. Then, Sir, the conveyance allowance should be done away with. The travelling allowance might be reduced. Instead of first class we should be allowed only second class. Personally I think intermediate class will be sufficient. Further the Select Committees should not be composed of a large number of members. It should not sit in Darjeeling, for that would involve huge expenditure to the rate-payers of Bengal.

Now, we come to the Secretariat. The expenditure under this head is Rs. 24,17,000. This is always on the increase. It will be seen that in the year 1936-37 the expenditure was Rs. 17,09,900, and in the year 1935-36 Rs. 16,70,000. Thus you will find that there is ample room for retrenchment on this head.

We find that the expenditure on the Publicity Department has increased considerably. In the Budget for 1940-41 the expenditure provided is Rs. 3,05,600. In the Revised Budget for the year 1939-40 the expenditure was Rs. 2,15,000 and in the original Budget for the year 1939-40 the expenditure provided was Rs. 1,01,300, whereas the actual expenditure for the year 1938-39 was Rs. 42,000. In my opinion there is no necessity for this Publicity Department. The expenditure under this head has gone on increasing. I am quite sure the House will register its decree that this expenditure should be reduced. In the next year, I am quite sure, this department will be converted into an Election Department for the members of a particular group of this House.

Then, Sir, in the Secretariat red-tapism still exists and it must be done away with. I may refer in this connection to one incident. The Chairman of the Comilla Municipality submitted a scheme for metalling the embankment of the Goomti which passes through the town of Comilla. He sent up the proposal about 1½ years ago. The other day the Chairman came to Calcutta and enquired in what stage that scheme was. On the first day he was asked to come on the following day. On the next day when he went he was informed by the Secretary that the file could not be found. The expenditure under this head is increasing from Rs. 16,00,000 to about Rs. 22,00,000. The red-tapism is there and there is no improvement in the work of this department.

Then, Sir, we find that the number of Secretaries has increased and it can conveniently be reduced. The pay of the officers also from Rs. 600 upwards can be conveniently reduced. The expenditure under the head "Board of Revenue", is Rs. 1,65,500. The Membership of the Board of Revenue can easily be abolished and can be easily run by a Minister. The expenditure under the head "Commissioners" is Rs. 4,36,000. This is a matter which has been discussed for a very long period. We are definitely of opinion that the Commissioners should be done away with. Certainly enough has been said in the press and on the platform with regard to the abolition of the posts of Commissioners. The Commissioners do only post-office work. It has been said that the Commissioners do revenue work, but, Sir, the revenue work that is done by the Commissioners can be distributed between the Collector and an experienced officer in the Revenue Department. Of course, the argument is advanced in favour of the retention of the Commissioners. I know, Sir, that even the worst case can be defended by plausible reasons, but the posts of Commissioners should in our opinion be abolished and the expenditure under this head saved. Then we come to the "District Administration". That is a most important thing. The expenditure under this head is Rs. 77,34,000. The question is whether the District Administration has improved since we have got this reformed Constitution. I find the state of affairs has gone from bad to worse while the expenditure has been continually going up. We find that there are 247 Deputy Magistrates and 469 Sub-Deputy Magistrates. Mr. Deputy Speaker, Sir, you are fully aware that the Sub-Deputy Collectors do the same sort of work as Deputy Magistrates and with equal efficiency. There is absolutely no reason why the cadre of Deputy Magistrate should be retained. My suggestion is that there should be one cadre and the pay of that cadre should be from Rs. 125 to Rs. 500. Last year, during the general discussion of the Budget, I suggested that there should be an immediate revision of the scale of pay of these officers. The Hon'ble Finance Minister gave an undertaking that the scale of pay would be revised and that the revised scale of pay of these officers would be laid before this House. But in the budget speech delivered by the Hon'ble the Finance Minister we find that there has not as yet been a revision of the scale of pay. The pay of the Deputy Magistrate in the Selection Grade is Rs. 1,000, and there is absolutely no reason for such a high salary. It comes to this that their pay is Rs. 250 rising to Rs. 1,000. My suggestion is that in a poor country like India, specially in Bengal, the pay should not go beyond Rs. 500, and any scale above Rs. 500 should be reduced. That was the undertaking given by the then Finance Minister. We don't hear now anything of the revision of the scale. I want an answer from the Hon'ble the Finance Minister why there

was no revision. It is a well-known fact that the Sub-Deputy Magistrates are given revenue work to do. They are also given judicial work. They also work as Circle Officers. They are now not only invested with second and third class magisterial powers, but also first class powers. They do the work as efficiently as the Deputy Magistrates. But, unfortunately these gentlemen do not get the same pay as the Deputy Magistrates. Their pay does not exceed Rs. 450, while the pay of the Deputy Magistrates goes up to Rs. 1,000. There is absolutely no reason for this differentiation unless it be for showing favour to certain persons. So in this respect also we can expect retrenchment.

Then, Sir, one thing that really appeals to me,—I find that really Deputy Magistrates and Sub-Deputy Magistrates have got no sufficient work to do. Sub-Deputy Magistrates and Deputy Magistrates, and at present District Magistrates and Collectors do not do any judicial work. In some districts, we find Additional District Magistrates do the work of District Magistrates who do not at all go to office but sit in the bungalow. I do not know, Sir, what work he does. He probably does the political work. I remember the Hon'ble Finance Minister said that he goes to the mufassil and gets himself acquainted with the needs of the population in the rural areas. But, as a matter of fact, we find that the needs of the population of the rural areas are not looked after. The same work is being done by the District Magistrates as was done before. My submission before the Hon'ble Minister is this that the number of Magistrates can be sufficiently reduced and there is no necessity of getting I.C.S. officers for these posts. We know that Additional District Magistrates who are generally recruited from the Bengal Civil Service do the same sort of work as the I.C.S. officers do. But in effecting retrenchment the only thing that is necessary is that we must change the whole outlook. I know that the recommendations of the Retrenchment Committee have not been given effect to. I am also aware that the Retrenchment Committee was composed of persons brought up in the atmosphere of bureaucracy and such a Retrenchment Committee cannot suggest real retrenchment. I suggest that Government must be prepared to constitute a Committee consisting of persons who have got a different outlook altogether and not composed of persons brought up in the atmosphere of bureaucracy, and I am quite sure that such a committee will be able to give proper suggestions for effecting retrenchment. The whole thing is dependent on one thing, namely, that Government should not think that the prestige of an officer is dependent upon the pay he receives. I say, Sir, that the prestige of an officer is not dependent upon the pay he receives——

(Here the member reached his time-limit but was allowed one minute to finish his speech.)

but the prestige of an officer is really dependent upon the honesty, the spirit of service and the truth he displays in the discharge of his duties. If the members of the Retrenchment Committee are persons who have sincere love for the people and who have got a different outlook, they will be able to suggest real retrenchment and in this way, we can reduce, if not half, at least 6 annas of the expenditure now incurred and the amount that will be saved in this way could be diverted for expenditure on rural water-supply which will be a great boon to the rural people of Bengal.

The Hon'ble Mr. H. S. SUHRAWARDY: It apears that no other honourable member is prepared to support the cut motion moved by Babu Dhirendra Nath Datta, not even any member from his party. The speech has cast upon me a burden that I feel I am not in a position to undertake, namely, to justify the existence of every single officer in the Government from the Ministers down to the Sub-Deputy Magistrates and Munsifs. I regret very much that in the course of a single speech, it will not be possible for me to deal with all the matters which the honourable member has raised, and more than that, I do not think that I should be called upon to do so. Each single item may form the subject-matter of a discussion, and actually if these items are to be discussed adequately on the floor of the House, much more in the way of facts and figures are necessary to convince this House and to convince the Government regarding their importance.

Sir, before I deal with some of the points raised, I will come to the last item, namely, that of the appointment of a Retrenchment Committee of persons with a different outlook who are likely to make proper suggestions. I will not, Sir, retort by using the very facile words which arise in the mind of a person who hears that such a Committee will make proper suggestions; but in order that such a Committee should be appointed under the present circumstances, the honourable member must satisfy this House that the steps which have been taken by Government in order to implement the proposals of the previous Retrenchment Committees have not been enough. There have been previous Retrenchment Committees of this House as well as some Special Officers have been appointed and their proposals have been and are being constantly examined. As a matter of fact, every single change in the administration has resulted in the person or persons responsible for the administration attempting to try and overhaul the various departments with a view to retrenchment, and consequently, Sir, each single recommendation has been thoroughly scrutinised by the various departments concerned and by various Finance Members and Finance Ministers who have taken office since the time that the retrenchment proposals were placed before the Government. Many of

these proposals have been accepted and I wish to assure the House that however extravagant a retrenchment proposal may appear to be, no proposal regarding retrenchment is lightly brushed aside, but every effort is made to see whether those proposals cannot be given effect to. It is only when administrative necessities make it impossible for any one to accept the retrenchment proposals that we are compelled much against our personal will—compelled by force of circumstances, and as I have said, compelled by the necessities of the administration, to reject the proposals for retrenchment and allow matters to go on as they are.

Honourable members possibly remember the White Paper, which was circulated by the Hon'ble the Finance Minister then in charge, in which he pointed out that the revision of the pay scales has resulted or will result ultimately in an annual saving of Rs. 50,31,000. That is indeed a very large sum that we shall be in a position to save through retrenchment.

Then, Sir, comparative figures were given by him to show the existing pay-scales with the pay-scales of the other provinces and it was demonstrated by him that the pay-scales in Bengal are lower than those existing in other provinces which have had the good fortune of having been under the heel of the High Command of the Congress. In spite of such supervision, Sir, in spite of the declared intention to limit the income to Rs. 500 it has not been found possible by the administrations of the various Congress provinces to decrease the pay-scales of their officers below the pay-scales of this province. (Rai HARENDRA NATH CHAUDHURY: What about the Ministers?) The Ministers accepted Rs. 500 but had emoluments of Rs. 5,000. It was demonstrated that the perquisites of some Hon'ble Ministers in the way of houses, of furniture, of motor-cars, of radios in motor-cars, of various other amenities and services actually exceed the amount which the Ministers of other provinces drew. (Mr. SASANKA SEKHAR SANYAL: But they did not take Rs. 15,000 as travelling allowance.) As a matter of fact, Sir, talking about travelling allowances I am reminded of a certain Minister who travelled third class but in travelling third class he reserved the entire compartment and it was found that it exceeded by 1½ times the travelling allowance which he would have drawn had he travelled by first. This luxurious privilege of humility we have denied to ourselves and have taken a realistic view of the situation and we hope we are conducting ourselves in a manner which we consider to be proper.

Now, Sir, I think it is not necessary for me to consider further the various points which have been raised by the honourable member. He says that the number of Ministers should be reduced. The honourable member knows that to-day the number of Ministers happens to be less

that it was a little while ago. The number of Ministers has been reduced and in spite of the additional work that has fallen upon another Minister owing to the reduction of the number of Ministers, the Minister who is doing double the work is not receiving any extra emolument. Sir, the Ministers really do not exist only for the purpose of conducting departments. They are not persons merely in charge of departments. They are also of political value and it is for this reason, I think, Sir, that the Congress Ministry in Assam, which is a much smaller province than Bengal, felt it necessary to have, I believe, as many as 9 Ministers and was prepared to have a few more. So the question, Sir, of the number of Ministers does not entirely depend upon the number of portfolios which are distributable. I should consider it a great loss to the province as well as to the political balance in the province if an Honourable Minister of the type of the Minister in charge of Forest and Excise had to be reduced from the Council of Ministers.

Now, Sir, the Parliamentary Secretaries have obviously given an opportunity to the honourable member to have a fling at the Dacca Group. Sir, the honourable member himself when he talked about the deficiencies of the administration drew for examples from Comilla. The honourable member's vision is bounded by what took place in Comilla and if he wishes to illustrate points he does so from examples drawn from his home town. Now, Sir, if the Dacca family is so very influential in East Bengal,—and I doubt very much even the gentleman hailing from Comilla will deny that,—if the influence of the Dacca family pervades throughout the greater portion of East Bengal and if the Dacca family which is a large family is able to produce a larger percentage of able gentlemen, I see no reason why we should deny that privilege to that family. After all, Sir, there are families in which, for instance, out of five members there have been four Knights. Would you deny therefore that if each of those members happened to be considered to be fit enough on his own merits to be a Knight of the Realm he should not be so honoured by His Majesty the King because there happens to be another Knight in that family already? Sir, I do not wish to illustrate the matter further but I think that the honourable member has inadvertently paid a great tribute to the Dacca family by impliedly admitting the services which that family has rendered to the people of Bengal and particularly to the Muslim Community. Sir, there are other families as well who have attempted to capture all the honours that have come their way and I would only request honourable members to try and curb a little bit the natural envy and jealousy which arises in persons who are not so well endowed as others and have therefore not been able to attain that position which others have.

(At this stage the Hon'ble Minister reached his time-limit.)

Mr. NIHARENDU DUTTA MAZUMDAR: The Hon'ble Minister was so deeply engrossed in praising the Dacca family that he forgot his own business. In course of time he might tell us about the 300 families of France.

Mr. SPEAKER: Mr. Suhrawardy, you may conclude your speech if you like.

The Hon'ble Mr. H. S. SUHRAWARDY: Sir, it is a very very long speech and references to many items will not be possible to make in a short time.

I was just on the point of referring to the tour of Dr. Syamaprasad Mookerjee in Comilla. There are other versions of what actually took place. He has given his own version. There are other versions and I think it was a good day for Bengal, it was a good day for peace between communities, for the establishment of good relationship between the Hindu and Muslim students of Comilla that the Chief Minister went to Comilla for the purpose of adjusting the differences that had unfortunately been created by the visit of Dr. Syamaprasad Mookerjee.

If, Sir, any travelling allowance was justified, I make bold to say that the travelling allowance of the Hon'ble the Chief Minister in proceeding to Comilla has been more than amply justified, and the province should not grudge him that expenditure.

Regarding the expenditure on the Provincial Legislature, that is up to honourable members here to try to curtail it and to increase their own hours of work. I shall be very happy if the expenditure could be curtailed. But it requires a self-denying ordinance by the legislature, and we, Sir, who depend upon the support of the legislature, not only on the support of those members to our right and of those in front but also on the support of the Opposition would hesitate to considerably curtail the emoluments, the travelling allowances or the conveyance allowances drawn by honourable members of the Opposition as members of the legislature. On my part at least there will be no opposition to such a move.

So far as the Select Committees' tour to Darjeeling is concerned, I do not think, Sir, that for some considerable time such a contingency is likely to arise. Unless some matter is extremely urgent, and honourable members of the Select Committee feel that they would like to have a little run up in Darjeeling, such Select Committees in Darjeeling will never take place. But possibly the expense of the Select Committees in Darjeeling will not differ very much from the expense of Select Committees here in Calcutta, because it is a question of the distances that are travelled by honourable members, and some members happen to be nearer Darjeeling than Calcutta. So I think

that the expense on the whole remains the same. And as has just been whispered to me by the Hon'ble the Revenue Minister, honourable members, when they go to Darjeeling, do much more work, and honourable members who go up to Darjeeling for the purpose of coming across Ministers who have escaped from their attentions in the plains find, I hope, that the Ministers there put in much more work than they are able to put in in Calcutta, and so the exodus to Darjeeling is more than justified. I find it gratifying, Sir, that when the honourable member said that there ought not to be any Select Committee in Darjeeling he by omission appeared to give his consent to the exodus of the Government to Darjeeling. He has not said a word against it, and I am indeed glad to find that after three years of the working of Provincial Autonomy in Bengal the honourable members of the Opposition have realised that the exodus of Government to Darjeeling does produce fruitful work and is beneficial for the province.

Sir, I can continue like this as long as you wish. (Laughter.) If you desire, I shall sit down.

Mr. SPEAKER: You can continue.

Mr. SANTOSH KUMAR BASU: On a motion for economy there will be no economy for time (laughter).

The Hon'ble Mr. H. S. SUHRAWARDY: Thank you, Sir. Very big questions have been raised by the honourable member regarding the abolition of the posts of Commissioners whom he calls post offices and of the abolition of the post of the Member, Board of Revenue, and the reduction in the number of Secretaries, but I cannot possibly deal with them in a speech in reply on a general motion for retrenchment. But this question has formed the subject-matter of discussion before on the floor of this House, and honourable members are fully aware of the merits and demerits of the controversy. I believe, Sir, on one occasion it was pointed out that Commissioners who are supposed to be post offices have to perform 27 statutory functions. They are not merely an appellate authority in the matter of revenue, but 27 statutory functions have to be performed by them, and if these functions are interspersed among different officers, their abolition therefore will not mean any particular saving to the provincial Exchequer.

I find, Sir, that the leaders of the Opposition are convinced that no case has been made out for retrenchment and they desire that I should sit down. Accordingly, I sit down. (Laughter.)

Dr. NALINAKSHA SANYAL: May I suggest, Sir, that the Hon'ble the Chief Minister should speak generally on all cut motions?

The Hon'ble Mr. A. K. FAZLUL HUQ: I would very much like to accept that suggestion, provided I get an opportunity to speak on some of the points that have been raised.

Mr. SPEAKER: Yes, you will get an opportunity.

Mr. JOGESH CHANDRA GUPTA: Sir, if the Hon'ble the Chief Minister has got to meet any specific point it will always be better that he should speak when that cut motion is under discussion.

The Hon'ble Mr. A. K. FAZLUL HUQ: Am I to speak only on the Education Budget?

Mr. SPEAKER: No, you can speak generally.

The Hon'ble Mr. A. K. FAZLUL HUQ: There is one department, Sir, to which a reference has been made, namely, the Publicity Department which is in my charge. Large questions of policy have been raised and discussed, on which I will make some observations.

Dr. NALINAKSHA SANYAL: Let us hear you.

The Hon'ble Mr. A. K. FAZLUL HUQ: Yes, you will. I would like to have an opportunity of making my submission to the House, because I want to justify Government policy, so far as these matters are concerned, and if I get an opportunity later on I do not want to take the time of the House at this stage, but I thought that this was the proper opportunity for me to discuss this motion. If you like, Sir, I can begin now, or I can begin afterwards.

Mr. JOGESH CHANDRA GUPTA: Yes, speak now for 10 minutes. (Laughter.)

Mr. SPEAKER: The Chief Minister can speak now.

The Hon'ble Mr. A. K. FAZLUL HUQ: Thank you, Sir.

Sir, I was not present in the House when the honourable member began his speech, but I have had notes supplied to me of the points on which he had spoken before I came to the House.

Sir, as regards the question of the salaries of Ministers and cognate matters my friend, the Hon'ble the Finance Minister, has made his submission to the House. But what I would only like to point out is that the question of reduction of the number of Ministers or any reduction in their pay is not going to solve the broad question of

financial necessities for the administration of the province. In those provinces where the Ministers had been taking smaller salaries they were allowed free houses, free motor cars, conveyances and other allowances; and calculations show that in the long run the burden on the provincial revenue was not very much lighter than the people would ordinarily think them to be. As a matter of fact, they came up to the level of the expenditure under those heads in the province of Bengal.

The point is not merely retrenchment in the number of Ministers or in their salaries, but the point is how far by effecting all the retrenchments of which we are capable we can meet the urgent needs of an administration which has got to cater to the necessities of a highly progressive province like the province of Bengal. Sir, I shall take up the Publicity Department, for which I am responsible. My friends have suggested that there is no necessity for this department, and that this department should be abolished. May I point out to my friends on the other side that the necessity for this department lies in the fact that Government's activities, Government's policy, Government's actions are not only misrepresented in the press, but are also twisted in such a manner that it becomes impossible for the Government to carry on unless the facts are properly placed before the public? And it is unfortunate that when some of the Indian edited newspapers publish false statements they refuse to publish contradictions when such contradictions are supplied to them. In this very House in the course of a speech my esteemed friend has made so many misstatements of facts that these very misstatements are the best justification for the existence and continuance of the Publicity Department. Now, Sir, the Publicity Department is not going to do propaganda for a particular party. Thank God, that that particular party to which my friend refers is in no need of publicity in the province of Bengal. The beneficent measures which Government have placed on the Statute Book will stand them in good stead and will not require the help of the Publicity Department. This publicity department will be abolished as soon as some of the Indian edited journals realise the honesty of journalism and will not indulge in publishing all these misstatements.

Dr. NALINAKSHA SANYAL: The journals take the cue from the Government, particularly from the Hon'ble the Chief Minister.

The Hon'ble Khwaja Sir NAZIMUDDIN: Is that statement in order, Sir?

Mr. SPEAKER: I have warned you several times, Dr. Sanyal, not to interrupt in this manner. As a matter of fact, what business have you to interrupt the proceedings at this stage?

Dr. NALINAKSHA SANYAL: Sir, I am only enlivening the debate.

Mr. SPEAKER: No, you cannot do that when the Chief Minister is speaking.

The Hon'ble Mr. A. K. FAZLUL HUQ: I am afraid, Sir, you will now call me to stop because I have arrived at the prayer time. But I want one minute more. Before I leave this subject may I read out to the House that the "Bengal Weekly" which is published by the Publicity Department had to publish in the year 1938 as many as 60 contradictions of false statements or twisted misstatements which appeared in the Indian edited papers; in the year 1939 as many as 118 contradictions had to be published; in the year 1940 up till now we have already published 18 contradictions and God alone knows how many contradictions more we shall have to publish in the remaining nine months of the year?

Mr. SPEAKER: I will now adjourn the House for prayer, but would once more appeal to Dr. Sanyal not to interrupt the proceedings.

Dr. NALINAKSHA SANYAL: May we know, Sir, how many minutes the Hon'ble the Chief Minister will get to finish his speech?

Mr. SPEAKER: I should not ordinarily dictate to the Hon'ble Chief Minister any time just as I do not ordinarily dictate to the Leader of the Opposition. I want to have a convention created whereby I want to leave this matter to the discretion and good sense of both the Chief Minister and the Leader of the Opposition, and if it is found that we cannot depend upon the good sense and discretion of these two honourable members, I may consider the point then. The Hon'ble the Chief Minister will continue his statement after the prayer interval. Meantime I am happy to state, at least Dr. Sanyal will be happy to know that the Niemeyer Award Revision Resolution will be taken up after dinner on the 13th March (Wednesday) and the non-Agricultural Tenancy Bill and possibly other Bills will be taken up after dinner on Monday and Tuesday, the 11th and 12th March.

Mr. Khwaja SHAHABUDDIN: Sir, will the Agricultural Debtors' Amendment Bill be taken up on that day, too?

Mr. SPEAKER: Yes, provided there is time after that.

(At this stage the House was then adjourned for 20 minutes.)

(*After adjournment.*)

The Hon'ble Mr. A. K. FAZLUL HUQ: Sir, I was referring to the contradictions which we had to issue from time to time regarding misstatements of facts in the press. Apart from all that, we had also to publish from time to time statements of what measures we had been able to take in the direction of rural uplift and village reconstruction. Sir, some of them were again in the nature of correction of misstatements which appeared in the public press and in other cases they were simple statements of governmental activities in the various departments of the administration. These contradictions have been bound in two volumes. Now, Sir, it is not for the purpose of self-glorification that these statements had to be issued from time to time——

We found that it was neither self-glorification nor self-adoration but it was a piece of information imparted to the public. We found that people appreciated these statements so much that we began receiving letters containing suggestions in various directions of rural uplift—suggestions which in many cases we have been able to adopt with great profit.

Now, Sir, leaving alone the question of Publicity I come to one or two specific points which have been raised by my honourable friend. He has mentioned certain posts which he has said might be abolished and he specifically mentioned the Commissioners of Divisions and the Member of the Board of Revenue. When he was speaking about the Commissioners, I heard him say that the Commissioners of Divisions should be done away with. Now if he means to convey that we may do away with the posts I am prepared to discuss the question with him. But if he wants to do away with the officers themselves, then I am afraid I cannot consent to such a procedure. For instance, Mr. Fawcus is at the present moment the Commissioner of the Dacca Division. We may consent to discuss the question whether he should continue to be the Commissioner or not, but we cannot do away with Mr. Fawcus. That would amount to homicide. I would now like to tell my friend that this question of abolition of Commissionerships involves various considerations which it is difficult to ignore. Suppose for a moment we decide to abolish the post of Commissioner of the Dacca Division. Leave alone the consequential dismissals and discharge from public service that this action will entail in the case of ministerial officers,—the result will be that the present incumbent of the post, Mr. Fawcus, will cease to perform the duties which he is, at the present moment, performing but he will continue to draw his salary because he is a permanent member of the I.C.S. If you do not give him any work, he will have nothing to do but will draw the salary all the same and the province will not be relieved of the burden of paying his salary. Similarly, in the case of the Member of the Board of

Revenue; you may abolish the post, but you cannot abolish the man, and the person who is holding the post, being a permanent member of the I.C.S., will continue to draw his pay. The question, is, therefore, somewhat more complicated than appears at first sight. As I submitted to the House the other day, there are certain services which are protected under the statute and for which candidates are recruited not for particular posts such as Commissionerships or Membership of the Board of Revenue but to fill up certain vacancies in the cadre of the I.C.S. It is possible that the cadre of the services may be reduced. But that is a question over which this Legislature or the Provincial Government has got no control. Secondly, so far as Commissioners are concerned, my own idea is that in course of time when we succeed in our efforts to have a net work of organisations under the Rural Reconstruction Scheme, the Commissioners of Divisions will cease to perform the duties which they perform at the present moment and they will be the officers who will centralise the activities of various officers in the Divisions in the direction of rural uplift and village improvement. Whether you call the officer a Commissioner or by some other name in course of time when the rural reconstruction department will extend its activities, there will be some officers at the head of the Village Uplift organisations in order to co-ordinate the activities of the officers in the rural areas. It may be that instead of Bengal being mapped out as five Divisions we may require 15 officers in order to co-ordinate the activities of the rural uplift officers. I cannot visualise at the present moment what their activities will be. But, certainly some officers of that type will have to be utilized. The only point to be considered is whether we should have highly paid officers, whether we can manage the work with lesser paid officials, namely, indigenous articles and not people imported from outside. That is a very large question, and that is a question which certainly can be considered and discussed not merely from the point of view of economy, but also from various other considerations.

My friend has remarked that the District Officers at the present moment have got nothing to do and the Secretaries to Government in the Secretariat are so many idlers who may be asked to go home and attend to some other business. I do not know if my friend has actually come in contact with the activities of District Officers in the mufassil. May I tell him that even if we leave out the Circle Officers and the Subdivisional Officers, the District Officers or very nearly 50 per cent. of them are Indians, and Indian Officers not merely of the Indian Civil Service but officers of proved ability promoted from the Bengal Civil Service? It is only necessary to see their work in the villages to realise how hard they are working in trying to ameliorate the condition of their own countrymen. Sir, I have in the course of my tours accompanied District Officers, Subdivisional Officers, and Circle Officers, and I am prepared to pay the best possible tribute I can to their devotion

to duty, to their self-sacrifice, to their energy in tackling the various problems which come up before them, to their honesty of purpose——

Dr. NALINAKSHA SANYAL: In matters of election and such things other than their duties!

The Hon'ble Mr. A. K. FAZLUL HUQ: Election was only on one occasion and even when I went out on my election campaign, election was only a very subsidiary matter, and I had to discuss with them many important matters of district administration. As a matter of fact, so far as elections are concerned I did not work very much. I may tell my friends, when I had a multitudinous assembly it was only necessary to tell them that I wanted a certain particular candidate to be elected and they agreed at once. I am paying my tribute to them for their administrative work, irrespective of whether they are Englishmen or Indians, Hindus or Muslims, Deputy Magistrates or Sub-Deputy Collectors, to the whole service from top to bottom. The rank and file are animated with the sole object of doing good to their countrymen. Now my friend thinks that Secretaries are having an easy time in the Secretariat. There are some Secretaries who are extremely hard worked; for instance, the Secretary in the Finance Department is certainly over-worked, and if he can continue for five years without a breakdown I would be prepared to recommend him for a Victoria Cross.

The Hon'ble Khwaja Sir NAZIMUDDIN: It is the case also with the Secretary in the Home Department.

The Hon'ble Mr. A. K. FAZLUL HUQ: Yes. I should not have made any invidious distinction.

Dr. NALINAKSHA SANYAL: I think the hardest worked officer is the Private Secretary to the Chief Minister.

The Hon'ble Mr. A. K. FAZLUL HUQ: The Private Secretary to the Chief Minister is an officer who is fit for any post in the public service.

My friend has also referred to the pay of the District Magistrates, Sub-Deputy Magistrates and so on.

Now, Sir, I hope, he will not take it as an offence if I may remind him of a story which we all must have read in our young days—the story of the envious man and his rich neighbour. It is very easy to criticise and object to a Deputy Collector getting Rs. 1,000 a month. But let us remember that a thousand rupees is given to him at the end

of his career. (Dr. NALINAKSHA SANYAL: Is any Deputy Collector getting Rs. 1,000 a month?) No. But my friend while speaking on his motion was mentioning Rs. 1,000 which was the pay of the Selection Grade formerly and I am answering him on that basis. Supposing he gets Rs. 1,000; he gets it at the end of his career when he has earned it by doing good, meritorious and honest work, and at a time when he is burdened with a family and he has other obligations which he cannot reasonably be expected to fulfil unless he gets a decent salary.

Now, Sir, we always hear from all sides cries for economy and retrenchment. This is very natural and I would ask my friends on the other side to believe us when we say that each and every one member of the Government, as well as supporter of the Government, is extremely anxious to try and find out all possible avenues of retrenchment in order to take up the various problems which await us for improving the administration of the Province. The trouble is, Sir, that it is a question of crores, not merely of lakhs. If you take up the Budget and you make retrenchments in all conceivable directions, you will find that you can get only a small fraction of the sum which we need for the expanding needs of our administration. Sir, I would suggest that the best method of having economy is for our friends who are in the Opposition and also our friends who are supporting the Government, to ponder over these problems and put forward constructive proposals which can be accepted by Government—may not be in one day but gradually, so that in course of time the Bengal Budget may be a Budget to which no exception can be taken by any section of the House. It is a very complicated problem and officer after officer has been placed on special duty and they gave their best thoughts to the question of retrenchment and even at the present moment, the question is being discussed and considered. The trouble is that there are so many factors which have got to be taken into consideration that it is not easy by a single stroke of the pen either to reduce salaries or to abolish posts which at the present moment exist. There are difficulties which my friends will have to realise and which can only be solved if they all co-operate in this task. Sir, I will not take up the time of the House. Let me remind my friends in the Opposition that it does us no good to squander away the money which does not belong to us but which is held by us on trust. It may be, we are committing mistakes. We are prepared to admit that we are human beings and whatever we do cannot be said to be absolutely perfect. If my friends will come forward with their suggestions, they will receive our best consideration, not merely because of the fact that they are coming from our friends who may, for the time being, be in the Opposition, but because of the fact that they are as much interested as we are in seeing that the Bengal Budget may be one which is acceptable to all sections of the House.

Dr. NALINAKSHA SANYAL: Mr. Deputy Speaker, Sir, our Hon'ble Chief Minister has very gracefully taken only 35 minutes of our time. Sir, may I request you to extend the time of the sitting of the House in view of the fact that he has taken a little more time in his discretion, so that we may have sufficient opportunity for discussion of the motions?

Mr. DEPUTY SPEAKER: I am sorry, that cannot be done.

The motion of Mr. Dhirendra Nath Dutta that the demand of Rs. 1,19,26,000 under the head "25—General Administration" be reduced by Rs. 100, was then put and lost.

Mr. KHAGENDRA NATH DAS GUPTA: I beg to move that the demand of a sum of Rs. 1,19,26,000 under the head "25—General Administration" be reduced by Rs. 100.

Sir, the other day in the Upper House while our Hon'ble Home Minister in discussing matters about communalism in Noakhali shed crocodile tears in defence of the oppressed *kishans* of that district, his own administration in the north, I mean in the Jalpaiguri district, had launched a policy of ruthless repression and terrorisation for the suppression of a legitimate and peaceful movement of the extremely poor and oppressed *kishans* of that place.

Instead of trying to ascertain the causes of unrest amongst the *kishans* or *adhiars*, instead of making any attempt to settle their grievances amicably, the Deputy Commissioner issued an order on 2nd December last under section 144, Criminal Procedure Code, banning all meetings and processions and assemblage of 5 or more persons at a public place with a view to incite the public or encourage them against payment of tolls to hat ijaradars, payment of chaukidari tax and interest on borrowed paddy to the creditors and carrying of reaped paddy to the granary of their jotedars in the four thanas—Sadar, Pachagar, Boda and Debiganj.

Three months have since elapsed and that gagging order has been still continuing having received a fresh lease of life for two months more from the Hon'ble Home Minister.

Actually there was no movement in this area for non-payment of choukidari taxes and up to date not a single person was arrested and convicted for inciting persons in this connection. The real fact is that in some of the unions of these thanas people in their hundreds submitted humble petitions to the Subdivisional Officer protesting against arbitrary annual enhancement of Union Board taxes out of all proportions to their paying capacity without observing the rules and provisions of the Act and also praying for extension of time for payment of taxes till Magh, i.e., the time for harvesting of *aman* paddy specially in view of failure of jute and *bhadoi* crop this year in the area.

In some places the Subdivisional Officer assured extension of time but nowhere their complaints regarding assessment were enquired into nor any reply to their petitions was given.

All the big hats in the area excepting the Sadar thana where no trouble existed, belong to the Cooch Behar Raj where tolls are being realised by the ijaradars from the poor, illiterate and timid villagers at a rate excessively higher than that fixed in the schedule of rates. There was some agitation amongst the *kishans* against heavy exactions of these *ijaradars*.

The main issue of the agrarian trouble is not this choukidari tax or *hat* toll but the determination of the *adhiars* of that locality to stand against illegal and heavy exactions by their jotedars.

Before I proceed to enumerate the grievances of these *adhiars* I must say a few words regarding the condition and circumstances of the peasantry prevailing there. The whole area is practically under the zemindary of the Cooch Behar Raj divided into a number of big and small *jotes*. There is no middle class intelligentsia section in the population; all depending on agriculture. Land is not so fertile, yield of paddy per bigha is 4 to 5 maunds only, jute is cultivated but not extensively. No winter crop worth the name is grown. The rate of rent payable is too high naturally developing a tendency amongst the jotedars to bring lands into their *khas* possession by every possible—legitimate or underhand—means with the result that at present about 75 per cent. of the population subsist in *adhiari*. The number of *chukanidars* or *raiyats* are dwindling. The *adhiars* are simple, illiterate, characteristically timid, extremely poor and property-less, living completely at the mercy of their jotedars. It is true that all the jotedars are not oppressive but a good many of them are. They are the members and Presidents of the Union Boards, Debt Settlement Boards, etc. Some of them having earned favours of Darogas, and Circle Officers have become most oppresive to their *adhiars* and turned as instigators in carrying on the present Government policy of repression.

According to custom prevailing the *adhiars* have to stack and thrash their harvested paddy in their jotedars' *kholans*. After dividing paddy into half and half, the oppressive jotedars exact further from the *adhiars'* shares various sorts of *abwabs* such as, "khamaru", i.e., labour charge for dividing paddy at half-a-maund per *bish*, i.e., six or seven maunds, "Gola muchani", "angina chacha", "Dhula khaoa", i.e., labour charge for loading straw in jotedars' cart, contributions for Muharram, Durga Puja", etc., etc., at the rate of half-a-maund per each item. Over and above these *abwabs*, the jotedar also exacts interest on borrowed paddy at the rate of 50 to 75 per cent. together with the principal. There are good

many instances where *adhiars* are found retiring to their huts with empty baskets after paying off the last grain of their share of paddy to their jotedars in settlement of their dues and borrowing again to continue their lives. The number of those *adhiars* are almost nil, negligible who need not have to borrow paddy from their jotedars every year for their mere subsistence. They are also sometimes forced to render free labour in jotedars' place locally known as বাউনি খাটা। In short, an *adhiar* in this part of the district lives the life of a half slave in extreme poverty and untold misery.

They are now gradually becoming self-conscious. Present political atmosphere in the country has been influencing them. Coming in contact with Congress and *Kishan Saras* they are realising their own position. This year they refused to be so drained and oppressed by their repressive jotedars. In order to save themselves from such illegal and heavy exactions they reaped and carried away paddy to their respective *kholans* and offered half the produce to their jotedars to which they were legally entitled. The *adhiars'* demands were so just and right and natural that even a good number of kind-hearted jotedars, not to speak of *chukanidars* who sided with them, supported their move and instructed their own *adhiars* to follow suit. This move of the *adhiars* naturally did not find favour with the oppressive jotedars. They approached and moved the local authorities who at first showed reluctance but later on, I am told, were forced to resort to ruthless oppression by the threat of the Nawab of Jalpaiguri, the Hon'ble Minister for Judicial and Legislative, who is himself a big jotedar and now also a zemindar of the place. • • • •

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The Hon'ble Khwaja Sir NAZIMUDDIN: On a point of order, Sir. Can the honourable member assure us that the matter which he is bringing up before the House is not *sub judice*? I will accept his statement on this matter.

Mr. SPEAKER: Mr. Das Gupta, whatever statements you have made so far, are those matters before the court?

Mr. KHAGENDRA NATH DAS GUPTA: There are some persons against whom proceedings are pending, but the fact I am referring to is not *sub judice*.

Mr. SPEAKER: I am very sorry. If there is anything concerning your statement which is before a judicial tribunal, you should not have stated that in the House.

Mr. JOGESH CHANDRA GUPTA: He will not be entitled to speak on the specific facts involved in a case but he can make general statements regarding the grievances.

Mr. SPEAKER: If he makes a general grievance that is alright, because it can be generally replied to. But if there is mention of a single fact concerning which proceedings are pending in a judicial tribunal, then it will be out of order.

The Hon'ble Khwaja Sir NAZIMUDDIN: Sir, I submit that practically everything that has been said so far is the subject matter of proceedings which are before the court. The honourable member has spoken for 5 minutes about the arrests made by the police and the searches and all these matters are before the court and I submit that this motion cannot be discussed.

Mr. SPEAKER: They cannot be not only not discussed but they should be expunged from the proceedings because they are subject matters of a judicial tribunal.

Dr. NALINAKSHA SANYAL: Is the Hon'ble the Home Minister in a position to say that all these matters mentioned in the statement are *sub judice*? Let us have a definite statement from the Home Minister.

The Hon'ble Khwaja Sir NAZIMUDDIN: Sir, I started by saying that I will accept a statement from the honourable member himself. He was dealing with the question of arrests. I have said persons have been arrested and their cases must be before a court. There is no question of an assurance from me. It requires only common sense to understand this.

Dr. NALINAKSHA SANYAL: Sir, the honourable member wants to discuss one matter, namely, the policy of Government with regard to certain tenants in the district of Jalpaiguri and the use of certain extraordinary powers by Government in that connection. The specific cases are mere examples which may or may not be mentioned.

Mr. SPEAKER: That ought not to have been mentioned.

Dr. NALINAKSHA SANYAL: That may be deleted if you like. But so far as the general policy is concerned, the honourable member can speak on it.

Mr. SPEAKER: That will certainly remain.

The Hon'ble Khwaja Sir NAZIMUDDIN: But, Sir, here the question of policy has led to the arrest of those people for violation of section 144.

Mr. SPEAKER: As I have ruled some time back, in an adjournment motion arising out of section 144 it is not open to the members of the House to discuss the incidents about section 144, but it is quite open to a member to say that the policy of utilising the provisions of the Criminal Procedure Code, to give an instance, for the purpose of..... (Mr. M. SHAMSUDDIN AHMED: Suppressing!).....I cannot say, suppressing, but, dealing with the trade union movement is bad. Therefore the honourable member is perfectly in order in saying that the policy of dealing with agrarian question by recourse to a criminal measure is not desirable, but he cannot give any example.

Babu KHAGENDRA NATH DAS GUPTA: * * Sir, this is the way how section 144 of Criminal Procedure Code is being used in this part of the district. In the name of law and order, the present custodians themselves are trampling down law and order under their feet. Even the existing laws of the land were considered insufficient to deal with such a minor affair, the local authorities are exercising special powers under the Defence of India Act also. A number of persons were arrested under this Act for the alleged offence of holding meetings. * * *

Sir, I have only casually referred to the part which our Hon'ble Nawab, the Minister for Justice, played in this matter of repression. What business had he to interfere in the local administration of the district is for our Home Minister to decide. * * *

The Hon'ble Khwaja Sir NAZIMUDDIN: Sir, can the honourable member refer to a matter which is *sub judice*?

Rai HARENDRA NATH CHAUDHURI: How can we know that the matter is *sub judice*?

The Hon'ble Khwaja Sir NAZIMUDDIN: I have got a report on it.

Mr. SPEAKER: Is it in the appellate stage?

Babu KHAGENDRA NATH DAS GUPTA: No, Sir. The case has already been disposed of.

The Hon'ble Khwaja Sir NAZIMUDDIN: When has this case been disposed of?

Babu KHAGENDRA NATH DAS GUPTA: A few days ago.

Dr. NALINAKSHA SANYAL: If you have any specific facts in your possession, state them.

Babu KHAGENDRA NATH DAS GUPTA:

Hitch over certain papers.

(At this stage Dr. Nalinaksha Sanyal rushed up to the speaker, took away certain papers, ran up to the Hon'ble the Home Minister and handed over the papers to him which he threw away.)

The Hon'ble Khwaja Sir NAZIMUDDIN: On a point of order, Sir. Is the honourable member in order to hand over the papers to me in this way?

Mr. SPEAKER: I hope the House will be acting in a manner which will be in consonance with its dignity. There is no objection to any member handing over any paper to an Hon'ble Minister with my permission, but the manner in which he handed over the papers was objectionable. Dr. Sanyal, you seem to be in a different mood to-day. I find you have avoided all elements of seriousness. If you wanted to hand over the papers you ought to have done it in all seriousness because a most serious question is being discussed. But the manner in which you left your seat is only a credit to certain parts of your body. (Laughter.)

Dr. NALINAKSHA SANYAL: May I, Sir, in all seriousness suggest that these two documents be incorporated in the proceedings so that people of future generation may see what they are like?

Mr. SPEAKER: I rule it out definitely that it is not parliamentary for any member to hand over any paper to an Hon'ble Minister except through the Speaker.

Mr. Das Gupta, you may go on now.

Babu KHAGENDRA NATH DAS GUPTA: Sir, it has been told that these *adhiars* did not want any compromise, they were under communist influence. This is far from the truth— —

(At this stage a chaprasi was asked by Mr. Shamsuddin Ahmed to pick up the papers thrown away by the Hon'ble the Home Minister, but the Hon'ble the Home Minister ordered him not to do so.)

(Uproar in the House.)

The Hon'ble Khwaja Sir NAZIMUDDIN: On a point of order, Sir. What is this interruption about in the House?

(At this stage there was renewed uproar in the House.)

Mr. M. SHAMSUDDIN AHMED: Sir,——

Mr. SANTOSH KUMAR BASU: May I know, Sir, what led an honourable member of this House——

Mr. M. SHAMSUDDIN AHMED: Mr. Basu, will you please sit down? I want to speak as it was I who ordered the chaprasi.

Mr. SANTOSH KUMAR BASU: All right.

Mr. M. SHAMSUDDIN AHMED: Sir, some papers purporting to have been very valuable documents were handed over to the Hon'ble the Home Minister by Dr. Nalinaksha Sanyal, an honourable member of this House, who is as honourable as the Hon'ble the Home Minister sitting over there. It is quite regrettable, and the manner in which Dr. Sanyal handed over the papers to the Hon'ble Minister might be wrong, and as you have already pointed out, Sir, Dr. Sanyal should have handed over the papers to you. I submit to that ruling, but I was one of those, Sir, who asked the chaprasi to pick up those papers. The Hon'ble the Home Minister is not a Minister here; he is only an honourable member in this House, and I submit, Sir, that he had no business to ask the chaprasi to get out in that way. (Laughter from the Coalition Benches.) There is nothing to laugh at. The chaprasi is only a servant of this Assembly, and so he is in duty bound to carry out my orders. The Hon'ble Minister has no right to prevent him, and must apologise for this.

(At this stage there was again much noise in the House.)

Mr. SANTOSH KUMAR BASU: Sir, it is most regrettable that the Hon'ble the Home Minister has set an example which, I hope, will not be emulated by any member of this House hereafter.

Mr. NISHITHA NATH KUNDU: Disgraceful!

Mr. SPEAKER: Mr. Kundu, if there is the slighest interruption by anybody I will not hesitate to exercise my right.

Mr. SANTOSH KUMAR BASU: Sir, a servant of the Speaker attending in this House for the convenience of the members of this House was asked by one of the members to pick up certain papers which the Hon'ble the Home Minister had most unceremoniously and

most discourteously thrown away on the floor of the House. The Hon'ble the Home Minister stepped in and prevented that servant of the House and asked him to refrain from doing his duty and from serving in the way that he has been appointed to serve. This is an example which, I hope, Sir, you will at once hold up to the disapprobation of this House and will bring the Hon'ble the Home Minister to his senses so that such conduct may not be repeated by any member of this House, however, highly placed he may be.

The Hon'ble Khwaja Sir NAZIMUDDIN: Sir, I stand for the dignity and decorum of this House, and in the interest of the dignity and decorum of this House I have done what I thought best. I maintain that when an honourable member is speaking no other member has any right to interrupt him or to walk across the floor in the midst of a speech and take a paper and cross the floor in this manner. It is against all dignity and decorum of the House. Then because the honourable member was wrong in what he had done I threw that paper away. Then again, I maintain that when an honourable member was still speaking he should not have been interrupted while that speech was going on. Again, Sir, an attempt was made to pick up those papers while the speaker was on his legs. That I did not consider to be right. Those papers were before my seat and not in any other place, and those papers could have been taken away after the debate was over. In the course of a speech no member has any right to come and ask for papers and interrupt. Moreover, I was listening to the debate because I have got to reply to the debate, and I have got a right not to be disturbed while I am listening to the debate.

Mr. SPEAKER: Will Secretary please get the papers through a peon? I will give my decision later on.

(The papers were picked up and made over to Mr. Speaker.)

Mr. KHAGENDRA NATH DAS GUPTA: Sir, a false bogey of communism was raised. When I heard these allegations, when repression was started I myself went to the locality and met the jotedars and *adhiars* alike. The *adhiars* in a body were agreeable to a compromise. Their original demand was not to pay any interest on borrowed paddy on grounds that for their own interest the jotedars have to feed their *adhiars* by lending paddy during times of cultivation and that specially this year the price of paddy is higher now at the time of repayment than what it was when borrowed. There are many jotedars in the district who do not take any interest at all.

Mr. SIBNATH BANERJEE: Sir, what is the decision about this unseemly conduct of the Home Minister?

(Great uproar in the House and cries of "sit down, sit down.")

Mr. SPEAKER: I will give my decision after the speech of Mr. Khagendra Nath Das Gupta is over, as I have already informed the House.

Mr. SIBNATH BANERJEE: Please dispose of it first.

Mr. SPEAKER: I shall have to go through the whole matter and I am asking for previous papers, if any, as to what has been done in a similar case. So I cannot give my decision immediately.

Dr. NALINAKSHA SANYAL: May I have those papers back? I want them to go into the proceedings so may I have the custody of my own papers? They may be inconvenient papers for the Home Minister, but they are valuable documents for me and I want them to go into the proceedings.

Mr. KHAGENDRA NATH DAS GUPTA: But for the sake of compromise the *adhiars* were agreeable to pay interest even at the rate of 25 per cent. on the principal paddy loan. In two or three unions the *adhiars* and jotedars came to a successful compromise at my mediation on this term. Amicable compromise I can boldly assert could have been effected in other unions also, but for the interference and continued repression by the authorities. (The thrown away papers were returned to the speaker at this stage.) It is true that the Subdivisional Officer at first tried to effect a compromise. At the instance of jotedars he settled interest at the rate of 16 seers per maund or 40 per cent. on borrowed paddy. This the *adhiars* could not agree to especially when they say that in the neighbouring villages, in Thakurgaon subdivision in the Dinajpur district, the rate of interest was settled at 15 per cent. only at the instance of the Subdivisional Officer of that subdivision.

(At this stage the member reached the time-limit but was allowed to continue for one minute longer.)

The people of the locality took up the constitutional method of redressing their grievances and resisting illegal and oppressive exactions.

(At this stage Dr. Nalinaksha Sanyal went up to Mr. Das Gupta and tried to take away the papers from his hands.)

Mr. SPEAKER: I am very sorry, Dr. Sanyal, you are again interrupting the proceedings of this House. The manner in which you are moving in this House constitutes a definite interruption of the business of the House.

Dr. NALINAKSHA SANYAL: Sir, I got up and went to the speaker only after his speech was over, to take away the papers.

Mr. SPEAKER: You should not have behaved in this manner.

Your time is up, Mr. Das Gupta. Will you finish? (But the honourable member continued his speech.)

Mr. KHAGENDRA NATH DAS GUPTA: There is absolutely nothing, no evidence, that they took to violence and tried to resist the authority of law. They never came into conflict with the local authorities but they did combine themselves to resist the illegal exactions and oppressions.

(Again there was great noise in the House.)

Khan Sahib Maulvi SYED MUHAMMAD AFZAL: Sir, will you kindly permit this side of the House to pursue the policy followed by Dr. Nalinaksha Sanyal?

Dr. NALINAKSHA SANYAL: (To Mr. Das Gupta) Please read out from the paper.

(Again great uproar in the House.)

Mr. SPEAKER: It is simply impossible to go on in this way.

Dr. NALINAKSHA SANYAL: (In the midst of that uproar and before the speaker had finished his speech) Sir, I rise to support the motion of my honourable friend— —

Mr. SPEAKER: Dr. Sanyal, you are again interrupting?

Mr. KHAGENDRA NATH DAS GUPTA: Not a hair of any person was injured and because the oppressive jotedars found that they were not able to exact from the *adhiars* in the manner in which they used to do in the past a hue and cry was raised which brought the ire and anger of the authorities on these poor kishans.

(Again the member reached the time-limit.)

Mr. SPEAKER: Mr. Das Gupta, you have reached your time-limit and you must sit down. I cannot give you any more time.

Dr. NALINAKSHA SANYAL: Sir, as I was saying——(Cries of "No, no, sit down" from the Coalition Benches.) Sir, a very important document has been introduced in this House. (Again there was great uproar and Mr. Nishitha Nath Kundu rose to speak.)

Mr. SPEAKER: Dr. Sanyal, I have asked Mr. Nishitha Nath Kundu to speak. So will you please take your seat?

Dr. NALINAKSHA SANYAL: Sir, the document is so valuable to the Home Minister——

(Again there was great uproar. Several members of the Coalition Party shouting out "sit down, sit down").

Mr. SPEAKER: If you go on in this way, I have no other alternative but to adjourn the House for 15 minutes.

(The House was then adjourned for 15 minutes.)

(After adjournment.)

Mr. SANTOSH KUMAR BASU: Sir, before you resume the proceedings of this House, may I ask what decision you have arrived at? We on this side of the House feel that it would be impossible for us to take part in the proceedings of this House to-day unless and until the Hon'ble the Home Minister comes out with a free, frank and complete apology for his conduct. (Cries of "No, no" from the Coalition Benches.) If this be the attitude——

Mr. CURTIS MILLAR: On a point of order, Sir. Is it open to a member to dictate to the House how the proceedings of the House should be conducted?

Mr. SANTOSH KUMAR BASU: I don't think that Mr. Curtis Millar is at all justified in dictating to me the course that I should adopt.

Mr. SPEAKER: I don't think I can allow you to reopen the subject unless you have anything more to say. You have asked me what my decision is. I am going to give it.

Mr. SANTOSH KUMAR BASU: May I just ask you, whether you are going to give your decision now?

Mr. SPEAKER: You ought to wait till I give my decision.

Mr. SANTOSH KUMAR BASU: That is exactly what I am going to do. Are you going to give your decision just now, Sir?

Mr. SPEAKER: Yes.

Mr. SANTOSH KUMAR BASU: Very well.

Mr. SPEAKER: As a matter of fact, it is very unfortunate that there have been incidents which disturbed the normal proceedings of the House. I am not here concerned with the other incidents which had arisen from time to time to which I had drawn the attention of the House and to certain conduct of certain members. But so far as the last incident is concerned, I am afraid, the manner in which Dr. Sanyal jumped from his seat and went to the speaker and thus crossed the Speaker, that is, myself—

Dr. NALINAKSHA SANYAL: I didn't.

Mr. SPEAKER: Dr. Sanyal, will you please sit down? I have my own eyes. That is what you did. I had been seeing and listening very carefully to Mr. Das Gupta and you stood between me and the speaker which you had no business to do so so long as the speaker is on his legs. I feel that the manner of your taking the paper from the speaker was wholly wrong. In so doing you crossed me and the speaker. As a matter of fact, at that time you were so excited that you did not know or you did not realise as to what you did. Subsequently the matter ended there, but your conduct was still more reprehensible at a subsequent stage. As soon as this matter was over I found that those papers were lying there. Any paper which is in the House lying in that manner it is certainly the Speaker who has got to get control of. I had also to find out whether these papers can go into proceedings as was suggested. I got the papers brought to me. Immediately you stood up at that time and in a temper wanted the papers from me. You said "these are the papers which we want to have recorded." I did not take any steps even then. I submit to the House that when an incident of this nature is going on and when the Speaker got control of the papers with a view to take suitable action, for any member to say in that manner "I ask the papers from you because I will have to hand them over" is a conduct which is still more reprehensible. I would not say anything more.

Mr. Shamsuddin was probably justified in the circumstances in getting the papers but he unfortunately brought another factor which we have been trying to control for the last two years. You must have noticed that formerly the peons crossed the well too often; we had therefore to give special instructions to the peons not to cross the well and if they had to go to different places they would have to go round. The peon went beyond his instructions in trying to get those papers. So far as Sir Nazimuddin is concerned I may say that the attitude of Sir Nazimuddin was such that I could not very well appreciate. He is the Home Minister and ought to have exercised more patience. But he also got excited and ordered the peon not to take the papers. If the peon went beyond his limits in getting the papers, Sir Nazimuddin ought to have drawn my attention. Instead of doing that, the peon

was asked to leave those particular papers. I think in this matter so far as Mr. Shamsuddin is concerned he should not have asked for the papers to be taken from the well. Again, these papers were left there by another gentleman who is a member of the House, and as such it was not very proper on the part of Mr. Shamsuddin to try to get the papers. It will be realised that he went beyond the limit because by sending the peon to that place he must know it would lead to the interruption of the proceedings. The reason why we have kept the peons off the well was that the shorthand reporters whilst in the well should not be disturbed in any manner. The peons disturbed them so much that we had to stop them. The peon went beyond instruction in going to the well. If the peon had gone behind and got the paper nothing would have happened. I expect that this matter will now be closed. These are unfortunate incidents but I do feel and I appeal once again to all sections of the House that for some time past the proceedings of this House are almost impossible to be conducted owing to the way in which Dr. Sanyal sometimes conducted himself. His interruptions have been so much that they have become almost a factor and that it has almost become impossible for the proceedings to be conducted in such a way as to be within limits, and I must on any recurrence take all steps which I am entitled to take. The House will remember that I have always been trying my best to keep the dignity of the House in a manner which might redound to the credit of this province.

Dr. NALINAKSHA SANYAL: You have honoured me, Sir, with certain references. I submit to your ruling. As you might be aware there was not the slightest intention on my part to disturb the proceedings as you had been pleased to remark. I was very anxious, Sir, from the very beginning, to see that certain papers referred to by an honourable member of the House in the course of the discussion should be drawn attention to effectively and at first I wanted them to be handed over to the Hon'ble the Home Minister so that he might have an oportunity to verify whether they had any facts behind. I had taken the papers from Babu Khagendra Nath Das Gupta in a hurry. It was only to see that the papers reached the hands of the Home Minister quicker. This is not the first occasion, Sir, when such papers have been handed over.

Mr. SPEAKER: Dr. Sanyal, I have heard your explanation. If you want to give it I would advise you to give it some other day.

Dr. NALINAKSHA SANYAL: Sir, these papers related to a matter of great importance.

Mr. SPEAKER: I have myself seen it.

Dr. NALINAKSHA SANYAL: I wanted, Sir——

Mr. SPEAKER: Have you got an explanation?

Dr. NALINAKSHA SANYAL: You have made some observations on me for demanding the papers back from you. That was done only because I wanted these papers to be incorporated in the proceedings. I wanted to have an opportunity to read these out and that is why I wanted the papers, and Sir, that is why I wanted them back from you immediately. You will bear me out when I say with all respect to the Chair——

Mr. SPEAKER: I accept that. Will you please take your seat?

Dr. NALINAKSHA SANYAL: Sir, you have been pleased to inflict certain painful observations on me and some of them which are matters of opinion I do not question. But so far as the question of fact is concerned regarding crossing the line between you and Mr. Das Gupta, I emphatically say that I never crossed the line. Further I would crave your pardon to have an opportunity of reading this out——

Mr. SPEAKER: I will see to that later on. For the time being I call upon Mr. Kundu to speak.

Dr. NALINAKSHA SANYAL: Sir, may I——

Mr. SPEAKER: You will get the opportunity later on.

Dr. NALINAKSHA SANYAL: To-day?

Mr. SPEAKER: If possible. I am not closing the debate. Now I call upon Mr. Kundu to speak.

Mr. SARAT CHANDRA BOSE: Sir, may I have your permission to say a few words? I will not take up the time of the House for more than two minutes. At the outset, I shall say that I owe an apology to you and to the House for my absence at the time the regrettable incident took place. But you can judge from my voice that I have been ill.

Before I came to the House I had the opportunity of learning from some of the members of my party the details of the incident and I had also the opportunity of hearing your decision.

Sir, you are entitled to give your decision, but we are entitled at the same time to record our protest in the parliamentary manner To record our protest I have directed my party and such members of the Opposition who are with me on this point to withdraw from the House for the rest of the day. Whether we shall attend for the remainder of the session is a matter on which we shall come to a decision to-morrow. With these words, Sir, we withdraw from the House.

(At this stage the members of the Opposition Benches withdrew from the House.)

Mr. SPEAKER: Mr. Kundu, are you going to speak on the motion?

Mr. NISHITHA NATH KUNDU: Sir, I cannot speak as my leader has withdrawn from the House.

Mr. SPEAKER: Then, I am afraid, you will not get any opportunity to speak.

(At this stage Mr. Nishitha Nath Kundu withdrew from the House.)

Babu PREMHARI BARMA: Sir, in supporting the cut motion moved by my friend Mr. Khagendra Nath Das Gupta, I will say only a few words because this agrarian trouble also occurred in the district of Dinajpur, especially in the Thakurgaon subdivision. There also the grievances of the *adhiars* are on the same footing as that in Jalpaiguri In three or four thanas there was great trouble and many *adhiars* cut away paddy and took it to their homes instead of taking the same to the jotedars. Sir, when the trouble arose, we went there and we addressed some meetings which were attended by the Subdivisional Officer and the Second Officer. We learnt from the *adhiars* about their grievances and they also expressed their grievances before the Subdivisional Officer and the Second Officer. We were convinced that the grievances of the *adhiars* were genuine and real, and the Subdivisional Officer was also informed about the illegal exactions which were made by some of the jotedars. In Thakurgaon there were about 60 or 70 such cases and 400 to 500 warrants were issued. We tried our best to effect a compromise and with our efforts we were able to settle the trouble by means of a compromise. If I remember aright the compromise was arrived at on the 20th January when the Subdivisional Officer was also present.

Sir, about a few days ago we learnt that in some cases through the machination of some of the jotedars, the terms of settlement on which the compromise was effected were not given effect to. I myself gave notice of a cut motion to this effect and I want that Government should

take steps to remove the grievances of these *adhiars* against the jotedars, because they are really aggrieved and if they are aggrieved, it is the duty of the Government to see that their grievances are removed.

Sir, we heard in the meetings referred to above that in many cases, illegal exactions were realised from the *adhiars*, for example, an *adhiar* has to pay one cottah per *bish* to the jotedar for *kholan*, that is, the place where paddy is stacked and thrashed; for clearing that spot, one cottah has to be paid by each *adhiar* and another cottah has to be paid for weighing the paddy and so forth. We also learnt that some of the jotedars took interest on paddy advanced. From some of the jotedars it is said that for each bigha of land, an *adhiar* should take one *bisa* as loan and even if the *adhiar* does not take any loan from that jotedar, still he will have to pay interest for one *bisa* of paddy. Sir, such were the grievances and we tried to effect a compromise and a compromise was effected.

So, my prayer to Government and specially to the Home Minister is to see that the grievances of the *adhiars*, specially in North Bengal, are remedied. With these few words, Sir, I support the motion.

Sir, may I also mention in this connection that in Dinajpur fortunately the Police and the Subdivisional Officer took a very lenient view and did not adopt any repressive measure and so there has not been much trouble in the Thakurgaon subdivision.

Babu UPENDRA NATH BARMAN: Sir, it is not in a spirit of controversy that I rise to speak. I do not want to controvert the points that have been raised by Mr. Das Gupta as regards the policy that has been pursued by the Police. But I want to say a few words with regard to the remark that has been made by Mr. Das Gupta regarding the jotedars as a whole.

Sir, the *adhiars* who are the controversial subject-matter of this motion at the root are my own kith and kin and I yield to none in this House as regards my genuine sympathy towards them and if any gentleman in order to do some good to the *adhiars* is entangled in the quagmire of section 144, I certainly feel genuine sympathy for him also. But, Sir, there is one point which I must tell this House to remember.

I wish to relate the occurrence that led to the promulgation of the order under section 144. My friend has himself admitted that the *adhiars* in that locality in the district of Jalpaiguri are mainly illiterate. He has also admitted that before this they all along stacked their paddy in the courtyard of their jotedars or in the selected courtyard that is common to all. Now my friend has said that this year the *adhiars* did not stack the paddy at the appointed

kholans or in the courtyard of the jotedars because the *adhiars* thought in that case the jotedars will exact the *abwabs* of which my friend has given a list. He has mentioned several *abwabs*, but of course I do not know whether all those *abwabs* are exacted from the *adhiars*. I enquired of several jotedars and they have categorically denied that they got any *abwabs* of that sort. Assuming for argument's sake that the jotedars did take *abwabs* from the poor *adhiars*, was it not possible for those well-wishers of *adhiars* to depute a man at the common *kholan*, to watch the division of produce? Sir, *abwabs* have now been declared illegal, by law and they could have got remedy legally. But instead of doing that what did they do? They gave a nocturnal call and 500 people assembled at a place. With the rising of the Sun all these people fell upon the paddy field of which the jotedar had half share of the crop. The paddy was cut off within a few hours and carried to destination and the poor jotedar who had to depend for his subsistence, for the payment of rent and for the payment of debts did not even know what quantity of the paddy was taken away.

Now, Sir, that is the condition that prevailed at the first stage of the movement, and what was the object? If the only object was to stop the exaction of illegal *abwabs* as I have already referred to, it could have been done in a much simpler way. But, Sir, the main object of this movement was not to pay any interest of the paddy loan.

Now, Sir, the jotedars helped the *adhiars* at the time of the cultivation, at the time of sowing and at the time of transplantation. Every one knows that during the months of Ashar and Sravan the price level of paddy is at its highest, whereas when the jotedars got back their loan with interest the price level of paddy was at its lowest ebb. Besides this fact, the jotedars have to stock paddy in order to help their *adhiars*, and paddy loses in weight by 5 per cent. during the year. All these things have to be taken into consideration. The average class of jotedars are no better than well-circumstanced *adhiars*, and if the latter refuse to pay interest, it would be impossible for the jotedars to give them paddy loan again. Naturally the jotedars will be defrauded of their just share. There is another fact. These *adhiars*, I admit, are all poor, but if they take paddy inside their inner courtyard it would be impossible for the jotedar to look after how that paddy will be dealt with till the produce be divided. Of couse I do not deny that there are some jotedars who exact *abwabs* and interest at the rate of 50 per cent. If this is illegal,—by the passing of the Money-Lenders' Bill,—removal of these difficulties would have been a simple matter. But they have taken such a course which went to the detriment of the jotedar to a great extent.

Again, Mr. Das Gupta has himself said that all the jotedars are not bad. Action could therefore have been taken against those jotedars only who were really exacting and who were really oppressing. My object in standing up to-day is only to say this much that all the jotedars are not oppressive and the recourse which the *adhiars* took to at the very beginning was not a wise one.

As regards the other point whether the District Magistrate there is right or wrong, I am not conversant with the facts alleged, in detail. Therefore I cannot say anything about that. With these words, Sir, I resume my seat.

Mr. SPEAKER: Sir, Nazimuddin, since you cannot finish your speech to-day—it is already late to-night—the House stands adjourned till 4-45 p.m. to-morrow.

Adjournment.

It being 8-7 p.m.—

The House was adjourned till 4-45 p.m. on Wednesday, the 6th March, 1940, at the Assembly House, Calcutta.

Proceedings of the Bengal Legislative Assembly assembled under the provisions of the Government of India Act, 1935.

THE ASSEMBLY met in the Assembly House, Calcutta, on Wednesday, the 6th March, 1940, at 4-45 p.m.

Present:

Mr. Speaker (the Hon'ble Khan Bahadur M. AZIZUL HAQUE, C.I.E.) in the Chair, 10 Hon'ble Ministers and 215 members.

Reference to Tuesday's Incident.

Mr. SARAT CHANDRA BOSE: Mr. Speaker, I submitted to you last night that I would like to take time over yesterday's incident and announce in the House to-day what decision my party proposes to take over yesterday's incident. I find that the Hon'ble the Home Minister is not in his place. Now that the heat that was generated yesterday has subsided, may I enquire through you, Sir, as to whether he is prepared to make amends for his conduct yesterday?

The Hon'ble Mr. A. K. FAZLUL HUQ: Sir, it is extremely unpleasant for me to be compelled to say anything, but I think my duty is clear. I greatly appreciate what has fallen from the Leader of the Opposition because it indicates that he is anxious, as I hope every one in this House is anxious, that what happened last night may now be completely forgotten. But I regret very much that the remedy that he has suggested does not commend itself to me because I do not think it is justified by the incidents that had taken place. The House will remember that while a certain speaker was making his speech Dr. Nalinaksha Sanyal unceremoniously left his seat, and, for want of a better word I will use the words "jumped up" to where the member was speaking, snatched away certain papers, ran across the well of the House, came up to the Hon'ble the Home Minister and practically threw these papers on his table, or I should say, at him or at his table. The Home Minister threw back the papers which fell on the floor. Then came, Sir, another incident. A certain member asked a peon to pick up the papers, to which an objection was taken. Then something else happened and to all these you, Sir, were pleased to make a reference when you gave your decision last night. So I feel that the first offender was Dr. Nalinaksha Sanyal, and if he is prepared to offer an unqualified apology to the House for the manner in which he started the scene, I think the Hon'ble the Home Minister will not hesitate to make a statement which will satisfy even the most fastidious member

in this House at the present moment. I think, therefore, that to say that the incident can be considered as closed with an apology by the Home Minister is a position which the House cannot accept. Sir, I may add that if there is any difference of opinion, let the whole matter be referred to the Committee of Privileges and let them decide because I consider that the honour and dignity of the whole House is involved in what has happened.

Mr. SARAT CHANDRA BOSE: Sir, I do not propose to inflict a speech on this House.

Mr. C. MILLAR: On a point of privilege, Sir———

Mr. SARAT CHANDRA BOSE: Sir, I think I started before he had uttered even a word. I am not prepared to give way. It is only to a point of order that I have to give way.

Mr. Speaker, I do not want to inflict a speech on the House. You gave your decision condemning the action of a member on this side of the House. Whether we agree with that condemnation or not or with the terms of that condemnation is another matter. I do not propose to address you on that subject and I did not do it yesterday either. But after that decision of yours and after what had happened yesterday, I thought it was only right on my part to invite the Hon'ble the Home Minister to make a gesture and express his regret. After all, his conduct was extremely undignified and ungraceful, and it certainly did not reflect any credit on him. That gesture which I suggested has apparently been refused, and I shall make my decision on the floor of the House as to what attitude we should take.

Mr. C. MILLAR: Sir, on the question of privilege, I do not want to enter at all into the merits of what happened yesterday, but I should like, Sir, to submit for your consideration that certain privileges of this House were infringed. It must be of equal concern to the members on our right and to the members on our left. It is quite clear that we are in this House privileged to settle any questions which arise among us by the procedure of debate on appropriate motion made. But what happened last night was that after your ruling had been given, another procedure altogether was adopted, and by concerted action a whole section of the House withdrew from the House by way of protest against your ruling, Sir, to which they expressed their submission.

Now, Sir, I feel, and I should like to submit to you, Sir, that that is altogether outside the parliamentary procedure to which we as members of the House are entitled. That parliamentary procedure is to settle our differences by debate on appropriate motion made, and I should like to suggest to you, Sir, that any attempt to influence the House by demonstration rather than by debate, an endeavour for

example to exact an apology from a member under threat of concerted action to absent oneself from this House—these things are a breach of the privileges of the members of this House, and I would submit, Sir, that *a fortiori* they must be deemed to be totally and entirely out of order.

Mr. SARAT CHANDRA BOSE: Sir, I do not propose to take lessons on parliamentary procedure from the honourable member who has just sat down. I shall only dismiss his observation with this observation that possibly he was in political nurseries when a large number of members of this House had already completed their training in parliamentary procedure.

Sir, I fail to appreciate his point of privilege or his observation regarding demonstration. That only shows his ignorance of parliamentary procedure. Is it to be said in the year of grace 1940 that demonstrations are unknown in the Mother of Parliaments? I am astounded at his ignorance, and I leave it at that.

What I wanted to say was in accordance with the promise I made yesterday. Yesterday I said—perhaps you will remember—that I would announce in the House to-day what attitude my party was going to take with regard to the conduct of the Hon'ble the Home Minister. I have made my position clear, and having heard the reply of the Hon'ble the Chief Minister it will be for me and my party to decide as to what attitude we shall take.

Mr. SPEAKER: It is not for me to say anything, because I gave my decision already yesterday, and the matter so far as I am concerned is supposed to be finished but nobody would be happier than myself if there had been a happy ending to whatever unfortunate incidents might have happened yesterday. But in any case as Mr. Curtis Millar has raised a question of privilege I think if he wants to raise that point then he will have to table a motion and in that case if the House gives him permission the matter will go to the Committee of Privileges. I have nothing to do with this matter at this stage. Since a Committee of Privileges has been constituted it is not for me to say whether a matter constitutes a breach of privilege or not; it is for that committee to decide and make a recommendation. The only thing that now remains is that an appropriate motion should be tabled and moved and brought before the House and if the House permits it will be sent to the Committee of Privileges.

Mr. NIHARENDU DATTA MAZUMDAR: May I remind Mr. Curtis Millar of the fact that the Mother of Parliaments sitting at Westminster "demonstrated" by cutting off the head of one King and driving away another?

Mr. SPEAKER: We will now take up questions.

STARRED QUESTIONS

(to which oral answers were given)

Protection to certain Wakf Estates in Chittagong Division.

*186. **Dr. SANAULLAH:** (*a*) Will the Hon'ble Minister in charge of the Education Department be pleased to state—

(*i*) what were the original; and

(*ii*) what are the present properties under the *wakfs* for the following:—

(1) Sultan Bayezid, Bostami, Chittagong,
(2) Manikpur Dorgah, Chittagong,
(3) Shah Badar Shah Dorgah, Chittagong,
(4) Shah Pir Dorgah, Chittagong,
(5) Shah Kala Dorgah, Chittagong,
(6) Qadam Mobarak, Chittagong,
(7) Chittagong, Jami Mosque,
(8) Chittagong Patharghat Mosque,
(9) Shah Rastie Dorgah, Tippera,
(10) Shah Miran Shah Dorgah, Noakhali,
(11) Kharampur Dorgah, Tippera,
(12) Shuja Mosque, Comilla,
(13) Amiruddin Darogah's Mosque, Tippera, and
(14) Hasan Ali Jubilee School, Chandpur?

(*b*) Do the above *wakfs* get any protection under the present Wakf Act?

MINISTER in charge of the EDUCATION DEPARTMENT (the Hon'ble Mr. A. K. Fazlul Huq): (*a*) A statement compiled from the Wakf Register kept in the office of the Board of Wakfs is laid on the table. Information has been received about certain missing properties of Sultan Bayezid Bostami, Chittagong, and enquiries are being made into the matter. Other *wakfs* than those mentioned in the list cannot be identified from the Wakf Register.

(*b*) Yes, in common with other *wakfs*, so far as is consistent with the provisions of the Act.

Statement referred to in the reply to clause (a) of starred question No. 186, showing schedule of properties.

(1) SULTAN BAYEZID BOSTAMI, CHITTAGONG.

Khatian Nos. 440-450, 450/1, 451, 452, 455 to 471, 476, 477/1, 478-480, 482, 483, 485, 491, 493, 495, 497, 505, 507, 526, 527, 529, 530, 531/1, 533, 536, 538, 541, 543, 545, 550, 557, 564, 568, 570, 574, 575, 582, 584, 586, 587, 589-591, 595, 596, and 599 of Mauza Jalalabad and Khatian Nos. 544-552, 554, 556, 558, 574, 576, 578, 579, 582, 585, 588, 590-592, 607, 611 and 613 of Mauza Nasirabad, police-station Hat Hazari, Chittagong.

(4) SHAH PIR DARGAH, CHITTAGONG.

Khatian Nos. 3289 and 3560 of Mauza Amirabad J. L. 76 and Khatian Nos. 3007 of Mauza Lahagara J. L. 86, police-station Satkania, Chittagong. Total area of lands 8 *drown* only.

(5) SHAH KALA DORGAH, CHITTAGONG.

Tauzi Nos. 19447, 31767, 13187, 18284, 7733, 18564, 25282, 6251, 6252, 13034, 12496, 16279, 1255, 30457, 19564, 1689, 1688, 23538, 23556, 23551, 23542, 23547, 23557, 23554, 23552, 23540, 23539, 23544, 1270, 1024, 16378, 114, 16009, 19447, of Chittagong Collectorate. Total area of land 1 *drown* 3 *kanis* and 7 *gandas*.

(6) QADAM MOBARAK MOSQUE, AND KADAM RASUL DORGAH, CHITTAGONG.

Khatian Nos. 422, 426, 427, 428, 429 and 430 of Mauza Rahmatganj, police-station Kotwali, district Chittagong (Tauzi No. 33066.)

(11) KHARAMPUR SHAH PIR KALLA SAHID DORGAH, COMILLA.

Khatian No. 39 of Mauza Kharampur J.L. 441/444, police-station Kasba, Comilla (Tauzi No. 1506). Area of lands 50 *drown* 12 *kanis* and 16½ *gandas*.

Mr. ABDUL WAHAB KHAN: Is the Hon'ble Minister aware that the Dorgahs particularly the Sultan Bayezid Bostami at Chittagong are not being properly looked after on account of want of means?

The Hon'ble Mr. A. K. FAZLUL HUQ: I must have notice.

Maintenance and improvements of embankments in Murshidabad.

*187. **Mr. SASANKA SEKHAR SANYAL:** (*a*) Will the Hon'ble Minister in charge of the Communications and Works Department be pleased to state whether Government make any annual grants to landlords for the upkeep and maintenance of embankments in the district of Murshidabad?

(*b*) If so, will the Hon'ble Minister be pleased to state—

(*i*) the name of such landlords receiving such grants with the amount for each; and

(*ii*) what is the nature of Government control and supervision in the matter of repair and maintenance of such embankments?

(*c*) Whether the landlords concerned actually spend the allowances for the repair and improvement of the embankments?

MINISTER in charge of the COMMUNICATIONS and WORKS DEPARTMENT (the Hon'ble Maharaja Srischandra Nandy, of Cossimbazar): (*a*) and (*b*)(*i*) A sum of Rs. 3,172-12-8 as shown in the statement laid on the table is paid annually under section 44 of the Embankment Act to the proprietors of four estates in two of the parganas of the district as a contribution towards the cost of maintaining embankments in the parganas.

(*ii*) If neglect on the part of the landlord to repair breaches is brought to the notice of the local officers they are called upon to take necessary action; and in several cases payment of the contribution has been withheld.

(*c*) There is no Government audit of the expenditure by the proprietors of the sums paid to them.

Statement referred to in the reply to clauses (a) and (b)(i) of starred question No. 187.

Estate.	Name of proprietor.	Amount of contribution. Rs. as. p.
Tauzi No. 253, Kismat, pargana Fatehsing.	The Nawab Bahadur of Murshidabad.	853 5 4
Tauzi No. 254, Kismat, pargana Fatehsing.	Babu Ajoyendra Narayan Roy and others.	853 5 4
Tauzi No. 390, Kismat, pargana Rukunpur.	Maharaja Sir Prodyat Kumar Tagore.	733 1 0
Tauzi No. 2721, Kismat, pargana Rukunpur.	Maharaja Rao Sir Jogendra Narayan Roy of Lalgolla.	733 1 0
	Total ..	3,172 12 8

Mr. SASANKA SEKHAR SANYAL: Is the Hon'ble Minister aware that the areas comprised in touzi Nos. 253 and 254 are being washed away every year for the last 10 years?

The Hon'ble Maharaja SRISCHANDRA NANDY, of Cossimbazar: Yes, Sir, I am aware that the area mentioned by the honourable member is inundated frequently.

Mr. SASANKA SEKHAR SANYAL: In view of the above answer will the Hon'ble Minister be pleased to state whether the stipulated annual amounts were withheld in these "frequent" years?

The Hon'ble Maharaja SRISCHANDRA NANDY, of Cossimbazar: I may state for the information of the honourable member that the embankment referred to is not the only factor responsible for the inundation of the area concerned.

Mr. SASANKA SEKHAR SANYAL: With reference to touzi No. 390, is the Hon'ble Minister aware that a representation was made by the tenants of the pargana Rukunpur to the Collector of the district of Murshidabad drawing attention to the fact that for 4 years the scheduled embankment was out of repair, as a result of which the crops were devastated?

The Hon'ble Maharaja SRISCHANDRA NANDY, of Cossimbazar: I have no information, because that is a matter which is, in the first instance, dealt with by the Revenue Department.

Removal of the embankment on both sides of the Goomti.

***188. Mr. MAQBUL HOSSAIN:** (*a*) Will the Hon'ble Minister in charge of the Communications and Works (Irrigation) Department be pleased to state whether the Government contemplate giving effect to the decision arrived at by them in December, 1939, for removal of the embankment from both sides of the river Goomti in the district of Tippera, up and down of Comilla town?

(*b*) If so, when is it likely to take effect?

(*c*) Will the Hon'ble Minister be pleased to state what precautionary measures the Government contemplate taking about the Goomti situation?

The Hon'ble Maharaja SRISCHANDRA NANDY, of Cossimbazar: The hon'ble member is referred to parts (*b*) and (*c*) of the answer which I gave on the 1st March, 1940, to Mr. Dhirendra Nath Datta's starred question No. 158.

Mr. SHAHEDALI: Will the Hon'ble Minister be pleased to state whether there was a conference with the Hon'ble Minister as Chairman?

The Hon'ble Maharaja SRISCHANDRA NANDY, of Cossimbazar: Yes, members of both the Houses representing the district were invited to that conference.

Mr. SHAHEDALI: Will the Hon'ble Minister be pleased to state whether he intends to give effect to the conclusions reached at that particular conference?

The Hon'ble Maharaja SRISCHANDRA NANDY, of Cossimbazar: Sir, as I have previously stated before this House we are first of all undertaking a survey of the area and if after it is completed we find that there is no apprehension of any danger to life and property in carrying out the suggestions of the committee, that will be undertaken.

Mr. SHAHEDALI: Will the Hon'ble Minister please state when the survey estimates will be submitted to the Hon'ble Minister and when it will be possible for him to take action?

The Hon'ble Maharaja SRISCHANDRA NANDY, of Cossimbazar: As I have had occasion to inform the House we expect to take up the survey within the next 3 or 4 months.

Acquisition of land from Sharishabari to Jagannathganj Ghat station for Eastern Bengal Railway.

***189. Mr. CIASUDDIN AHMED:** (*a*) Will the Hon'ble Minister in charge of the Communications and Works Department be pleased to state—

(*i*) the total area of land acquired for the Eastern Bengal Railway for new sites of Sharishabari and Jagannathganj Ghat station;

(*ii*) when they were acquired; and

(*iii*) whether compensation was paid for crops and fruit trees?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state what was the amount paid—

(*i*) per *pakhi* (local measurement) for crops; and

(*ii*) as the price of land?

(*c*) Is the Hon'ble Minister aware—

(*i*) that the owners of acquired lands have been asked to vacate the site without payment of compensation and price of the land acquired; and

(*ii*) that the month of Falgoon is the suitable time for change of residence and of sowing new crops?

(*d*) If so, do the Government contemplate the payment of the consideration money immediately to facilitate erection of their houses elsewhere?

(*e*) If the answer to (*d*) is in the negative, is the Hon'ble Minister considering the desirability of paying off compensation for crops till the consideration money is paid?

The Hon'ble Maharaja SRISCHANDRA NANDY, of Cossimbazar: (*a*) (*i*) 113,554 acres.

(*ii*) In the latter part of November, 1939.

(*iii*) I am informed that compensation for crops and for removal of huts has been paid. The compensation for fruit trees will be paid with the price of the land.

(*b*) (*i*) A statement is laid on the table.

(*ii*) Payment for land has not yet been made.

(*c*) (*i*) and (*d*) As the land was very urgently required owing to the erosion of the river bank, possession of the land had to be taken under section 17 (2) of the Land Acquisition Act at short notice. Compensation for crops and for removal of huts has already been paid. Every endeavour is being made to expedite payment for the land, but the Collector must first go through all the stages of the land acquisition procedure.

(*c*) (*ii*) Yes.

(*e*) Does not arise in view of what has been said in the replies to parts (*a*) (*iii*) and (*c*) (*i*).

Statement referred to in the reply to clause (b) (i) of starred question No. 189, showing details of compensation for the standing crops calculated per acre.

Nature of crops.		Rate per acre. Rs. as.
Paddy	..	... 50 0
Sugarcane	..	... 144 0
Chilly	..	... 112 8
Potato	..	... 37 8
Tobacco	..	... 120 0
Onion	..	... 60 0
Pulse	..	... 40 0
China	..	... 20 0
Mustard	..	... 48 0
Brinjal	..	... 100 0
Shan	..	... 15 0
Chhan	..	... 30 0

Mr. CHARU CHANDRA ROY: মাননীয় মন্ত্রীমহাশয় অনুগ্রহ কোরে বোলবেন কি যে সমস্ত জমি গভর্ণমেণ্ট ইষ্টার্ণ বেঙ্গল রেলওয়ের জন্য নিয়েছেন তার ভিতর ভিটিবাড়ী কতটা ছিল ?

The Hon'ble Maharaja SRISCHANDRA NANDY, of Cossimbazar: I am afraid I cannot answer that question off-hand.

Mr. CHARU CHANDRA ROY: জমির মূল্য দেওয়া হয় নাই এবং শীঘ্রই দেওয়া হবে বোলে মন্ত্রীমহাশয় জানাচ্ছেন ; কিন্তু মন্ত্রীমহাশয় কি অবগত আছেন যে, প্রতিশ্রুতাধীদের পক্ষে জমির দাম না পেলে অন্য জায়গায় বাড়ী করা অসাধ্য ?

The Hon'ble Maharaja SRISCHANDRA NANDY, of Cossimbazar: That may not be the case with each of the tenants, but certainly delay would cause hardship to them.

Mr. NIHARENDU DUTTA MAZUMDAR: Will the Hon'ble Minister please state whether any money was advanced to the people on account of the acquisition of their homestead lands?

The Hon'ble Maharaja SRISCHANDRA NANDY, of Cossimbazar: I do not think so.

Mr. CHARU CHANDRA ROY: মাননীয় মন্ত্রী মহাশয় কি অনুগ্রহ কোরে বোলবেন—যাদের ভিটিবাড়ী acquire কোরে নেওয়া হোয়েছে, তাদের ভিটিবাড়ী করার জন্য গভর্ণমেণ্ট কোন কিছু টাকা আগাম দিতে রাজি আছেন কিনা?

The Hon'ble Maharaja SRISCHANDRA NANDY, of Cossimbazar: Sir, as these acquisitions are made according to the Land Acquisition Act, I think Government has got to follow the provisions of the Act itself.

Maulvi ABU HOSSAIN SARKER: Will the Hon'ble Minister please state whether he is aware that some of the tenants have already been made homeless and that they are not in a position to take shelter anywhere?

The Hon'ble Maharaja SRISCHANDRA NANDY, of Cossimbazar: No, Sir, I am not aware of that fact. But it appears to be unlikely as each one of them was paid some money as compensation for the crops and also for the removal of their huts?

Maulvi ABU HOSSAIN SARKER: Will the Hon'ble Minister please state that in spite of giving them the so-called crop compensation the money that actually reached them was not sufficient for the erection of their huts?

The Hon'ble Maharaja SRISCHANDRA NANDY, of Cossimbazar: It may be so in some cases, but I have stated already the difficulty of Government to pay the money in advance. But I may assure my honourable friend that every endeavour is now being made to expedite matters.

Maulvi ABU HOSSAIN SARKER: In this particular case where it was difficult for the tenants to erect their homestead with insufficient money, will the Hon'ble Minister please advise the department concerned to advance some money to erect their respective huts?

The Hon'ble Maharaja SRISCHANDRA NANDY, of Cossimbazar: I would certainly draw the attention of the department concerned to the request of the honourable member.

Mr. NIHARENDU DUTTA MAZUMDAR: Will the Hon'ble Minister be pleased to state the desirability of making some provision for those tenants who immediately require some advance of money for acquiring some homestead lands and for erecting their houses?

Mr. SPEAKER: That is for the Revenue Department. This department is merely to ask the Revenue Department.

Mr. NIHARENDU DUTTA MAZUMDAR: I am asking the Hon'ble Minister concerned with the acquisition of land.

The Hon'ble Maharaja SRISCHANDRA NANDY, of Cossimbazar: I am not concerned with that.

Mr. NIHARENDU DUTTA MAZUMDAR: The Hon'ble Minister has answered the question.

Mr. SPEAKER: He should not have answered.

Mr. NIHARENDU DUTTA MAZUMDAR: Will the Hon'ble Minister be pleased to state on behalf of Government or the Minister concerned whether Government are considering the desirability of making immediate provision for advance of money to the affected people to enable them to acquire new homestead lands and to construct their new houses?

The Hon'ble Maharaja SRISCHANDRA NANDY, of Cossimbazar: As I have stated just now I would certainly let the Department concerned know the request of the honourable member.

Development of handloom weaving industry in Bengal.

*190. **Mr. SURENDRA NATH BISWAS:** (*a*) Will the Hon'ble Minister in charge of the Agriculture and Industries Department be pleased to state whether Government have had any scheme for helping the development of handloom weaving industry in Bengal?

(*b*) If so, will the Hon'ble Minister be pleased to lay a copy of the scheme on the table?

(*c*) Have the Government considered the question whether handloom weaving industry may be developed in Bengal if weaving of cloths by power-driven loom with yarns of counts of 30s and lower is prohibited by legislation?

(*d*) Have the Government considered the desirability—

(*i*) of discussing the subject referred to in (*c*) with the other Provincial Governments of India; and

(*ii*) of moving the Government of India to pass a legislation prohibiting the weaving of cloths in India by power-driven looms with yarns of counts of 30s and lower?

MINISTER in charge of the AGRICULTURE and INDUSTRIES DEPARTMENT (the Hon'ble Mr. Tamizuddin Khan): (*a*) The development of the handloom industry of the Province has formed one of the most important activities of the Department of Industries since its inception.

(*b*) There is no single scheme for the development of handloom weaving. For an idea as to the activities of the department in regard to handloom industry under various schemes, the member is referred to paragraphs 7 and 31-39 on pages 5 and 13-15 of the Annual Administration Report of the Department of Industries for the year 1938-39, a copy of which is placed on the Library table. I may add that Government spends about Rs. 2½ lakhs annually in maintaining institutions or organisations devoted to the cause of the development of handloom weaving industry in the Province. Moreover, all the 5 demonstration parties and 29 peripatetic weaving schools have been recently reorganised so as to provide better training and demonstration in weaving and to provide additional facilities for printing and dyeing.

(*c*) and (*d*) No. This question will, *inter alia*, be examined by the Industrial Survey Committee whose recommendations will be considered in due course.

Mr. SURENDRA NATH BISWAS: Is the Hon'ble Minister aware that the greatest handicap of the hand-loom industry is the competition of the cotton mills?

The Hon'ble Mr. TAMIZUDDIN KHAN: Yes, Sir.

Mr. SURENDRA NATH BISWAS: Is the Hon'ble Minister also aware that the daily earning of a hand-loom weaver has become so very low that he cannot maintain himself on that earning?

Mr. SPEAKER: That question does not arise.

Mr. SURENDRA NATH BISWAS: Will the Hon'ble Minister be pleased to state what arrangements Government propose to make so that the hand-loom industry may successfully stand competition with the mills?

The Hon'ble Mr. TAMIZUDDIN KHAN: I have already said that the whole question will be examined by the Industrial Survey Committee, and as soon as the report is received, proper action will be taken.

Mr. SURENDRA NATH BISWAS: Will the Hon'ble Minister be pleased to state whether the questions referred to in sub-question (*c*) and (*d*) have already been referred to the Industrial Survey Committee?

The Hon'ble Mr. TAMIZUDDIN KHAN: Yes, Sir.

Sj. MANINDRA BHUSAN SINHA: Is the Hon'ble Minister aware that the activities of the Industries Department are not at all commensurate to the needs for the resuscitation of the hand-loom industry?

Mr. SPEAKER: That is a very important question, but not relevant.

Sj. MANINDRA BHUSAN SINHA: The Hon'ble Minister has referred to the same question in answer (*b*).

The Hon'ble Mr. TAMIZUDDIN KHAN: May I submit, Sir, that it is a question of opinion. In the opinion of one it may be commensurate, but in the opinion of another it may not be commensurate.

Mr. SUKUMAR DUTTA: Will the Hon'ble Minister be pleased to state whether there has been any development in the hand-loom industry by the alleged activities of the Industries Department?

The Hon'ble Mr. TAMIZUDDIN KHAN: Yes, Sir. A good deal.

Khan Bahadur FAZLUL QUADIR: Will the Hon'ble Minister be pleased to state whether he is aware that the hand-loom weavers, due to want of supply of yarn for which the mill-owners raise the price cannot make any profit out of it? Do the Government contemplate establishing any mill simply for the purpose of spinning to supply yarn to hand-loom weavers?

Mr. SPEAKER: That is a request for a very big action.

Mr. SYED JALALUDDIN HASHEMY: Will the Hon'ble Minister be pleased to state how many schemes there are in the contemplation of Government for the development of hand-loom industry? The Hon'ble Minister says there are various schemes.

The Hon'ble Mr. TAMIZUDDIN KHAN: Various schemes are already in operation.

Mr. SYED JALALUDDIN HASHEMY: Will the Hon'ble Minister be pleased to give us some idea as to how long it will take for the Committee to come to a decision with reference to answer (*b*)?

The Hon'ble Mr. TAMIZUDDIN KHAN: The Committee is a separate and independent body and so it will be very difficult for me to say how long it will take, but the Committee will be asked to expedite its report.

Mr. NIHARENDU DUTTA MAJUMDAR: Will the Hon'ble Minister be pleased to state what precise help have the Government so far rendered to the indigenous hand-loom industry and the weavers who have been actually engaged in that industry in various parts of Bengal?

The Hon'ble Mr. TAMIZUDDIN KHAN: It is very difficult to give an answer to this question, but I may say that the weavers in various parts of Bengal have been helped with instructions in the technique of weaving.

Mr. NIHARENDU DUTTA MAJUMDAR: Will the Hon'ble Minister be pleased to state whether in his scheme he has taken into consideration the needs of the indigenous hand-loom weavers and also considered how exactly Government can help them and in what directions helps are needed by those weavers?

Mr. SPEAKER: Do you mean whether there has been any concerted finding on the part of Government to find out the ways of helping them?

Mr. NIHARENDU DUTTA MAJUMDAR: Yes, of actually assisting the indigenous weavers and whether Government are considering their needs and the methods whereby Government can actually help them.

The Hon'ble Mr. TAMIZUDDIN KHAN: As I have already said the work that is now being done will be found in the Administration Report. As regards the lines on which further action should be taken, Government are awaiting the report of the Industrial Survey Committee.

Khan Bahadur FAZLUL QUADIR: Will the Hon'ble Minister be pleased to state whether he will take into consideration the question of the establishment of a spinning mill to supply yarn to the hand-loom industry?

The Hon'ble Mr. TAMIZUDDIN KHAN: That is a very large question to which it is difficult to give an answer off-hand. But so far as I am personally concerned, I think that it is one of the lines on which action could be taken.

Mr. NIHARENDU DUTTA MAJUMDAR: With reference to his last answer to my supplementary question, will the Hon'ble Minister be pleased to state whether in that report the actual needs of indigenous weavers have been taken into consideration?

The Hon'ble Mr. TAMIZUDDIN KHAN: Yes. It is about the actual needs of the indigenous weavers that Government are most anxious.

Mr. SUKUMAR DUTTA: Will the Hon'ble Minister be pleased to state if the Industrial Survey Committee is functioning without a Chairman for some months?

The Hon'ble Mr. TAMIZUDDIN KHAN: Unfortunately the Chairman is an officer of the India Government and he has been taken away. We are in correspondence with the Government of India and we are hoping that he will be returned for completing this work.

Mr. SUKUMAR DUTTA: Will the Hon'ble Minister be pleased to state if arrangements have been made to appoint a temporary Chairman for carrying on the work of the Industrial Survey Committee?

The Hon'ble Mr. TAMIZUDDIN KHAN: That will be very unsatisfactory. If we fail in our attempt to get back the permanent Chairman then certainly another Chairman will be appointed.

Mr. SUKUMAR DUTTA: Will the Hon'ble Minister be pleased to state when the permanent Chairman is expected to be back?

The Hon'ble Mr. TAMIZUDDIN KHAN: Very soon. We have been in correspondence, and lately we are in telegraphic correspondence with the Government of India and we hope that very soon a decision will be taken.

Mr. C. MORGAN: Will the Hon'ble Minister be pleased to inform the House as to the district in which the 29 peripatetic weaving schools are operating? Has he got any idea about that?

The Hon'ble Mr. TAMIZUDDIN KHAN: They are operating in all parts of the province.

Mr. NIHARENDU DUTTA MAZUMDAR: Will the Hon'ble Minister be pleased to state whether the Industrial Survey Committee has called for the representation of the needs of the indigenous weaving communities of Bengal?

Mr. SPEAKER: The Hon'ble Minister is not expected to say that.

Mr. NIHARENDU DUTTA MAZUMDAR: Sir, I am putting the question in a different form. Will the Hon'ble Minister be pleased to state whether to enable the Industrial Survey Committee to take into consideration the needs of the indigenous weaving communities of Bengal, Government have taken any steps to make a representation of their needs to the Industrial Survey Committee?

The Hon'ble Mr. TAMIZUDDIN KHAN: I do not think that the Industrial Survey Committee will miss such a fundamental thing.

Money spent by Government on relief measures in Faridpur, during the years 1938-39 and 1939-40.

***191. Mr. AHMED ALI MRIDHA:** (*a*) Will the Hon'ble Minister in charge of the Revenue Department be pleased to lay on the table a statement showing for each of the years 1938-39 and 1939-40, subdivision by subdivision—

(*i*) the total amount of money spent by Government for the relief of the distress-stricken people of the district of Faridpur as (1) gratuitous relief, (2) agricultural loan, and (3) test relief; and

(*ii*) what amounts out of the sum paid as agricultural loan have been recovered up to date, subdivision by subdivision?

(*b*) Is the Hon'ble Minister aware—

(*i*) that in the subdivision of Goalundo, the crops in the unions of Dumai, Korakdi, Meghchami, Paikkandi, Baliakandi, Jangal, Jamalpur, Lakshmandia, Gazna, Sultanpur, Jasai, Meghna, Kashba, Majhail, Patta, Saurail and Kalimphar were damaged by heavy showers of rain in the year 1939-40;

(*ii*) that Mr. S. C. Majumdar, the then District Magistrate, and Mr. P. K. Mukherjee, the then Subdivisional Officer, personally saw the paddy lands covered with water;

(*iii*) that distress prevails in the aforesaid areas; and

(*iv*) that relief measures are immediately necessary?

(*c*) If the answer to (*b*) is in the affirmative, will the Hon'ble Minister be pleased to state what steps the Government propose to take in the matter?

MINISTER in charge of the REVENUE DEPARTMENT (the Hon'ble Sir Bijoy Prasad Singh Roy): (*a*) A statement furnishing the information is laid on the table.

(*b*) (*i*) The damage caused to *aus* was 3 to 4 annas only while the *aman* paddy was not much affected.

(*ii*) The District Magistrate and the Subdivisional Officer visited some of these areas to see personally the condition of the crops.

(*iii*) No

(*iv*) and (*c*) The matter is under enquiry.

Statement referred to in the reply to clause (a) of starred questio No. 191.

Name of subdivision.	Amount spent as gratuitous relief.		Amount spent as agricultural loans.		Amount spent as test relief.		Amount recovered up to date out of the sum paid as agricultural loans.
	1938-39.	1939-40.	1938-39.	1939-40.	1938-39.	1939-40.	
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
Goalundo ..	9,000	512	2,50,000	40,000	7,500	12,763	39,809
Gopalganj ..	12,750	1,881	1,70,000	30,920	8,100	9,868	11,096
Madaripur ..	3,000	917	1,12,000	32,808	7,200	12,216	15,023
Sadar (Faridpur) ..	5,250	403	1,28,000	28,100	8,200	11,566	43,831
Total ..	30,000	3,713	6,60,000	1,31,828	31,000	46,413	1,09,759

Mr. SURENDRA NATH BISWAS: Will the Hon'ble Minister be pleased to state if he is aware that the agriculturists of the district of Faridpur need agricultural loan this year also for purchasing seeds?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Sir, I submit that the question does not arise.

Mr. SURENDRA NATH BISWAS: Will the Hon'ble Minister be pleased to state whether Government is considering the fact that the money spent by Government on agricultural loan in the district of Faridpur has not been sufficient and more money is needed this year also for enabling the cultivators to purchase seeds?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: There is no proposal from the local officers for further loan.

Mr. SURENDRA NATH BISWAS: Will the Hon'ble Minister be pleased to state whether representation from the people will be quite sufficient to move the Government?

Mr. SPEAKER: That is a matter of opinion.

Mr. SURENDRA NATH BISWAS: Sir, the Hon'ble Minister said that no demand has been made by the local officers. Supposing the District Magistrate or the Subdivisional Officer does not make any demand, will the Hon'ble Minister be pleased to state if Government would be prepared to accept the representation of the local people?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: That is a hypothetical question.

Mr. ATUL CHANDRA SEN: With reference to answer to question (*b*) (*iv*), viz., "the matter is under enquiry," will the Hon'ble Minister be pleased to state how he categorically says that there is no distress prevailing in the aforesaid areas?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: The matter is under enquiry. But I cannot assume that there is distress.

Mr. ATUL CHANDRA SEN: Will the Hon'ble Minister be pleased to state how he assumes that?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: I do not assume that there is no distress. I only say that the matter is under enquiry.

Site for permanent headquarters of Noakhali district.

***192. Mr. HARENDRA KUMAR SUR:** (*a*) Will the Hon'ble Minister in charge of the Revenue Department be pleased to state whether the Government have come to a final decision regarding the selection of site for the location of permanent headquarters of the Noakhali district?

(*b*) If the answer to (*a*) is in the negative, will the Hon'ble Minister be pleased to state the approximate time when the Government will be in a position to make a final decision in the matter?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: (*a*) No.

(*b*) A decision is expected to be reached before June next

Land Revenue Commission.

*193. **Maulvi RAJIBUDDIN TARAFDAR:** (*a*) Will the Hon'ble Minister in charge of the Revenue Department be pleased to state the present stage of enquiry by the Floud Commission?

(*b*) When is it expected to finish its work?

(*c*) Who are the present personnel of the Commission?

(*d*) How many members have been taken from the tenant class and landlord class, respectively?

(*e*) Will the Hon'ble Minister be pleased to state whether the members of the Commission get any fixed salary?

(*f*) If so, what is the pay of each of the members?

(*g*) How much has been drawn by its members up till now as allowances?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: (*a*) and (*b*) The enquiry has reached its concluding stage and the Commission is expected to finish its work by the end of March, 1940.

(*c*) The present personnel of the Commission is—

Chairman.

Sir Francis Floud, K.C.B., K.C.M.G.

Members.

Sir Bijay Chand Mahtab, G.C.I.E., K.C.S.I., I.O.M., Maharajadhiraja Bahadur of Burdwan.

Mr. M. O. Carter, M.C., I.C.S.

Khan Bahadur Saiyed Muazzamuddin Hossain, M.L.C.

Khan Bahadur Maulvi Hashem Ali Khan, M.L.A.

Khan Bahadur M. A. Momin, C.I.E.

Dr. Radha Kumud Mookerjee, M.A., P.R.S., PH.D., M.L.C.

Mr. Brojendra Kishore Roy Chowdhury.

Sir F. A. Sachse, KT., C.S.I., C.I.E.

Mr. Abul Quasem.

Mr. Nuruddin Ahmed.

Mr. Anukul Chandra Das, M.L.A.

(*d*) The Commission is entirely non-political. Except the Maharajadhiraja Bahadur of Burdwan and Mr. Brojendra Kishore Roy Chowdhury, who are zemindars, most of the non-official members are believed to have *raiyati* interests in agricultural lands and as such may be classed as tenants.

(*e*) and (*f*) Only the following members get fixed salaries as noted against each:—

Chairman—Honorarium at £1,500 a year.

Sir F. A. Sachse—Pay Rs. 3,000 per mensem.

Mr. M. O. Carter—Pay Rs. 2,350 per mensem, and overseas pay £30 per mensem.

Dr. R. K. Mookerjee—Pay Rs. 1,344 per mensem.

(*g*) Rupees 40,813 (including Rs. 4,920 on account of cost of passages).

Mr. SANTOSH KUMAR BASU: Will the Hon'ble Minister be pleased to state what is the reason for differentiating between the Chairman and some of the other members by way of honorarium and pay?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: In case of the Chairman it is not pay. That was one of the conditions on which the Chairman came out.

Mr. SANTOSH KUMAR BASU: When the Hon'ble Minister gives his reply stating that a certain member is drawing a pay, will the Hon'ble Minister be pleased to state if he means to say that he is not drawing a pay?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Sir F. A. Sachse is drawing a pay, but according to the terms of appointment of the Chairman it is not exactly pay but honorarium.

Mr. SANTOSH KUMAR BASU: Will the Hon'ble Minister be pleased to state on what footing Mr. Sachse is drawing a pay? Is it because he is a servant of the Crown?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: He is not a servant; he is an ex-servant.

Mr. SANTOSH KUMAR BASU: Will the Hon'ble Minister be pleased to state on what ground is Dr. R. K. Mookerjee being given a pay?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: He is a salaried officer of the Lucknow University and we are paying him the same pay as he used to draw there.

Mr. SANTOSH KUMAR BASU: Will the Hon'ble Minister be pleased to state if I am to understand that Dr. R. K. Mookerjee is in the pay of the Government of Bengal?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Yes; he is at present.

Mr. NISHITHA NATH KUNDU: Will the Hon'ble Minister be pleased to state if Dr. R. K. Mookerjee has been taken because he is a Professor or because he is an M.L.C.?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: He has not been taken as an M.L.C.; he has been taken as an expert.

Maulvi ABU HOSSAIN SARKAR: Will the Hon'ble Minister be pleased to state whether the pay of Dr. R. K. Mookerjee is in addition to the salary he draws as an M.L.C.?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Yes, I believe so.

Mr. ABDUL WAHAB KHAN: Will the Hon'ble Minister be pleased to state on what grounds is Mr. M. O. Carter being given a special pay although he is a member of the Indian Civil Service?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: He is not getting any special pay.

Mr. JOGESH CHANDRA GUPTA: As Dr. R. K. Mookerjee is in the pay of the Government and is receiving Rs. 1,344 per month, will the Hon'ble Minister be pleased to state if he is continuing as a member of the Legislative Council?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: I believe, he is.

Mr. JOGESH CHANDRA GUPTA: Is the Hon'ble Minister aware of the fact that nobody who is in receipt of a salary under Government is entitled to remain a member of the Legislature?

Mr. SPEAKER: That is a question of legal opinion.

Mr. JOGESH CHANDRA GUPTA: Will the Hon'ble Minister be pleased to state what is his opinion? Is he aware of the rule?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: I am aware of the rule, but it is a question of interpretation of the rule which I am not prepared to give here.

Maulvi ABU HOSSAIN SARKAR: Will the Hon'ble Minister be pleased to state whether other members besides those named in the answer (*e*) and (*f*) draw anything from the exchequer?

Mr. SPEAKER: That question does not arise here.

Mr. NISHITHA NATH KUNDU: Will the Hon'ble Minister be pleased to state what extra work Dr. R. K. Mookerjee is doing for which he is paid but others are not?

Mr. SPEAKER: That question does not arise.

(The Hon'ble Khwaja Sir Nazimuddin rose to read out the printed answer to question No. 194.)

Babu NARENDRA NARAYAN CHAKRABARTY: সভাপতি মহাশয় যতক্ষণ পর্য্যন্ত আমাদের নেতা শ্রীযুক্ত শরৎচন্দ্র বসু মহাশয় যে প্রস্তাব দিয়েছেন সেই প্রস্তাব অনুযায়ী কাজ না হবে—ততক্ষণ পর্য্যন্ত আমরা Sir Nazimuddinএর কাছ থেকে কোন প্রকার প্রশ্নের উত্তর চাই না।

Mr. SPEAKER: That is all right. I quite understand it, but my difficulty is that under the rules I cannot withdraw the question. If you can really show me that I can, I am quite prepared to withdraw the question even at this stage.

Babu NARENDRA NARAYAN CHAKRABARTY: সভাপতি মহাশয়, যদি তাঁর নাজিমুদ্দিন উত্তর দিতে আইনতঃ বাধ্য—আপনি যদি এই নির্দ্দেশ কোরে থাকেন তাহলে আইনের অবাধ্যতা না কোরেও আমরা বোলতে পারি যে আমরা তাঁর উত্তর শুনবো না।

(At this stage the Hon'ble Khwaja Sir Nazimuddin stood up again to read out the printed answer and there was uproarious noise from the Opposition Benches.)

Mr. SPEAKER: Order, order, please. I think it is a contempt of the House if you go on in the manner in which you are going. It will be impossible for me to carry on the proceedings of this House if a member is not heard. You are perfectly entitled to leave the House if you do not want to hear. But you cannot possibly obstruct the proceedings of the House.

Mr. KIRON SANKAR ROY: Certainly we can.

Mr. SPEAKER: I am sorry.

Dr. NALINAKSHA SANYAL: Unfortunately the position to-day is this. We know that the Home Minister happens to have jurisdiction over the Assembly Department in such a manner that he can dictate even to the Speaker but he cannot dictate to us——

Mr. SPEAKER: Do I hear you saying anything against the Speaker?

Dr. NALINAKSHA SANYAL: At the present moment I see the Home Minister has jurisdiction over the Assembly Department. Is that not correct? So that he can dictate to the Speaker's Department.

Mr. SPEAKER: May I know if you said anything against the Speaker?

Dr. NALINAKSHA SANYAL: All I have said is that the Home Minister has jurisdiction over the Speaker's Department.

Mr. SPEAKER: Did you say anything against the Speaker?

Dr. NALINAKSHA SANYAL: No. I said Speaker's Department.

Mr. SPEAKER: One who says one thing at one moment and changes the next moment! (Cries of "shame", "shame" from Coalition Benches).

Mr. SARAT CHANDRA BOSE: Mr. Speaker, I should have thought that when an honourable member said that he said this and not that, it is your duty to accept it.

Mr. SPEAKER: I have accepted it.

(The Hon'ble Khwaja Sir Nazimuddin then read out the printed answer amidst cries of "shame", "shame". "We are not going to allow you" from Opposition Benches.)

Communal proportion in the appointments made in each department from June, 1939, to February, 1940.

***194. Mr. NARENDRA NARAYAN CHAKRABARTY:** (*a*) Will the Hon'ble Minister in charge of the Home Department be pleased to lay on the table a statement showing the number of new appointments made in each department of the Government from June, 1939, to February, 1940, indicating the communal ratio?

(*b*) Has Mr. McC. Sharpe, the Special Officer in charge of this work, submitted a report indicating the progress during the said period?

(*c*) If the answer to (*b*) is in the affirmative, will the Hon'ble Minister be pleased to lay a copy of the said report on the table?

MINISTER in charge of the HOME DEPARTMENT (the Hon'ble Khwaja Sir Nazimuddin): (*a*) Figures for the period mentioned are not available. Communal ratio rules to implement the Government decision and the form of annual return are still under consideration, but it is hoped that figures for the period in question will be available by July next.

(*b*) No.

(*c*) Does not arise.

Scheme for irrigation, navigation and embankments for the districts in North Bengal.

***195. Mr. NISHITHA NATH KUNDU:** (*a*) Will the Hon'ble Minister in charge of the Communications and Works Department be pleased to state whether any scheme or schemes has or have been formulated in the matter of irrigation or navigation or embankments (1) for the district of Dinajpur and (2) for the districts in North Bengal?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state what are the schemes?

(*c*) If no schemes have been formulated, will the Hon'ble Minister be pleased to state the reason thereof?

(*d*) Will the Hon'ble Minister be pleased to state—

(*i*) what amount the Government have spent up till now for Dinajpur for the purpose of irrigation, navigation and embankment; and

(*ii*) whether this matter was brought to his notice by the local people of Dinajpur?

The Hon'ble Maharaja SRISCHANDRA NANDY, of Cossimbazar: (*a*) and (*b*) A statement is laid on the table.

(*c*) Does not arise.

(*d*) (*i*) Nothing so far.

(*ii*) The honourable member has recently laid stress on this matter in connection with a scheme in the district of Dinajpur.

Statement referred to in the reply to clauses (a) and (b) of starred question No. 195.

DINAJPUR.

The following schemes have been proposed by the District Officer:—

(1) Drainage of a marsh in Belbari Union, Balurghat subdivision.

(2) Drainage of Pathary *bil* in the same subdivision.

(3) Construction of an embankment on the river Soka in Thakurgaon subdivision.

RAJSHAHI.

(1) The Nepaldighi-Gobindapur drainage scheme, and

(2) The Bapmara drainage scheme have been completed.

(3) It is proposed to take up the Bhedra *bil* drainage scheme at an estimated cost of Rs. 36,453, two-thirds of which will be borne by Government and the remaining one-third by the District Board. The House will be asked for a grant of Rs. 12,000 for expenditure on this scheme during the year 1940-41.

(4) A detailed estimate for the Halti *bil* drainage scheme is under preparation.

(5) A scheme for the improvement of the Boral river is under examination.

(6) The revetment at Rajshahi is maintained by Government.

RANGPUR-BOGRA.

(1) A revised estimate of a scheme for the resuscitation of the lower Karatoya river has been prepared and is now under scrutiny.

MALDA.

(1) Work is in progress on the Raju Bund Irrigation scheme.

(2) and (3) The Tangon-Danra and the Boalia *bil* schemes are under examination.

PABNA.

(1) The Sirajganj mattress was constructed by Government at a cost of about Rs. 3,00,000.

(2) The Barshilla *bil* drainage scheme is under examination.

(3) A detailed estimate of the Dwarka *bil* drainage scheme is under preparation.

A large number of schemes proposed by the District Officers and others for these parts of Bengal are under examination. For the improvement of existing waterways for village communications in the Rajshahi Division sums of Rs. 24,576 and Rs. 26,626 were allotted in 1938-39 and 1939-40 respectively.

It is proposed to make a contour survey in North Bengal at an estimated cost of Rs. 3,95,256 against which the House will be asked for a grant of Rs. 25,000 for expenditure during 1940-41.

Mr. SURENDRA MOHAN MAITRA: Is the Hon'ble Minister aware that the scheme of Rajshahi No. 1 drainage scheme was proposed by the District Officer long before he stepped into the office and it has been already executed?

The Hon'ble Maharaja SRISCHANDRA NANDY, of Cossimbazar: Yes, Sir, that is so.

Mr. PREMHARI BARMA: Will the Hon'ble Minister be pleased to state the reason why nothing has been spent so far for the district of Dinajpur?

The Hon'ble Maharaja SRISCHANDRA NANDY, of Cossimbazar: I may state for the information of the House that owing to shortage of staff we could not have any officer for the North and East Bengal till

beginning of the present year. Leave alone the question of formulating any scheme, the knowledge of the department about irrigation needs of the Eastern and Northern Bengal was very meagre and I had occasion to state these facts before the House during the last two budget discussions.

Mr. PREMHARI BARMA: Will the Hon'ble Minister be pleased to state whether the Irrigation Department ever tried to know whether there was any need of irrigation works in Northern Bengal?

The Hon'ble Maharaja SRISCHANDRA NANDY, of Cossimbazar: Sir, I have stated that it was not possible for the department to make any comprehensive enquiry for paucity of staff.

Maulvi ABU HOSSAIN SARKAR: Will the Hon'ble Minister be pleased to state how long the Rajshahi-Bogra Scheme is under the consideration of the Government?

The Hon'ble Maharaja SRISCHANDRA NANDY, of Cossimbazar: I think for a number of years.

Maulvi ABU HOSSAIN SARKAR: Will the Hon'ble Minister be pleased to state whether that scheme will totally be financed by the Government or public subscription will be called for?

The Hon'ble Maharaja SRISCHANDRA NANDY, of Cossimbazar: Sir, I believe the District Board is contributing partially to the scheme.

Maulvi ABU HOSSAIN SARKAR: Will the Hon'ble Minister be pleased to state what the District Board will contribute?

The Hon'ble Maharaja SRISCHANDRA NANDY, of Cossimbazar: Sir, I am afraid it is not possible to give detailed information about the scheme off-hand. If the honourable member wants to know I shall certainly give the information later on.

Mr. PREMHARI BARMA: Will the Hon'ble Minister be pleased to state, if the District Boards do not contribute anything, what the Government will do?

The Hon'ble Maharaja SRISCHANDRA NANDY, of Cossimbazar: That is a hypothetical question.

Babu MADHUSUDAN SARKAR: With reference to answer (*a*) and (*b*) under head "Pabna" will the Hon'ble Minister be pleased to state when schemes Nos. 2 and 3 were first taken up by Government and how long will the Government take to complete them.

The Hon'ble Maharaja SRISCHANDRA NANDY, of Cossimbazar: Sir, as I have stated it is very difficult to give any idea of time. One of the schemes is under examination and as regards the other detailed estimates are being made.

Babu MADHUSUDAN SARKAR: Will the Hon'ble Minister be pleased to state whether he is aware that the district is in urgent need of several other irrigation works in the shape of sluice-gates on the river Chekna in police-station Faridpur and on the river Bunda in police-station Sujanagar and it has been brought to the notice of the Government several times and no action has been taken by Government?

The Hon'ble Maharaja SRISCHANDRA NANDY, of Cossimbazar: Sir, I have stated at the end of my reply that there are other schemes which have not been mentioned but which are being examined by the department.

Mr. NISHITHA NATH KUNDU: With reference to his statement under head "Dinajpur", will the Hon'ble Minister be pleased to state whether his schemes are mere proposals by the District Officers or they have been accepted by the Government?

The Hon'ble Maharaja SRISCHANDRA NANDY, of Cossimbazar: Sir, they are awaiting examination by Government.

UNSTARRED QUESTIONS

(answers to which were laid on the table)

Training of matriculate teachers for primary schools.

81. Khan Sahib HAMIDUDDIN AHMED: (*a*) Will the Hon'ble Minister in charge of the Education Department be pleased to state whether it is a fact that only matriculate teachers of primary schools have this year been selected for training?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state whether the Government contemplate the training of experienced non-matriculate teachers along with the matriculates?

The Hon'ble Mr. A. K. FAZLUL HUQ: Matriculate teachers have been preferred to non-matriculate teachers for training. Non-matriculate teachers have, however, been selected where matriculate teachers have not been available. Government do not propose to train non-matriculate teachers if matriculate teachers are available.

Maulvi MUHAMMAD ISRAIL: Will the Hon'ble Minister be pleased to state why the Government do not propose to train non-matriculate teachers when they are available and why they want to make this invidious distinction between matriculates and non-matriculates?

The Hon'ble Mr. A. K. FAZLUL HUQ: Because from the point of view of educational equipment *prima facie* the matriculate is more fitted than a non-matriculate.

Khan Sahib HAMIDUDDIN AHMAD: Will the Hon'ble Minister be pleased to state whether Government do not propose to train even those non-matriculate untrained teachers who have been given permanent posts?

The Hon'ble Mr. A. K. FAZLUL HUQ: I think that question had better be decided by the school boards because the Government have no power in this matter.

Maulvi MUHAMMAD ISRAIL: Will the Hon'ble Minister be pleased to state if there are many non-matriculates who have served some ten or twelve years and as such they are much better equipped than matriculates?

The Hon'ble Mr. A. K. FAZLUL HUQ: I admit that.

Maulvi MUHAMMAD ISRAIL: In view of this fact will the Hon'ble Minister be pleased to state whether he would prefer a non-matriculate of 12 or 13 years' standing to a matriculate getting training——

The Hon'ble Mr. A. K. FAZLUL HUQ: Sir, Government made no decision as regards persons who were going to get training. It is impossible for me to say.

Harassment of pheriwallas (hawkers) by police.

82. Dr. SURESH CHANDRA BANERJEE: *(a)* Will the Hon'ble Minister in charge of the Home (Police) Department be pleased to state whether it is a fact that some *pheriwallahs* are being supplied with tokens by an agency which secure for the holder certain immunities from the Traffic Police?

(*b*) If so, will the Hon'ble Minister be pleased to state whether the privilege is confined to the members of a particular union?

(*c*) Is it available for any and every *pheriwallah* irrespective of membership of any particular union?

(*d*) If the answer to (*b*) is in the affirmative, will the Hon'ble Minister be pleased to state the name of the union and the reasons for its having this monopoly of privilege?

(*e*) Is the Hon'ble Minister aware—

(*i*) that there is a union called the Calcutta Pheriwallah Samity, which has been agitating for this particular privilege for some years past; and

(*ii*) that the said union does not even now enjoy the privilege in question?

The Hon'ble Khwaja Sir NAZIMUDDIN: (*a*) I am not aware of any agency which supplies *pheriwallahs* with tokens. I understand that a union, known as the "Street Hawkers' and Vendors' Union" supplies its members with membership badges. These membership badges have nothing to do with the police.

(*b*) to (*e*) Do not arise.

Mr. NIHARENDU DUTTA MAZUMDAR: Will the Hon'ble Minister be pleased to state whether it is a fact that these membership badges——

Mr. SPEAKER: Are you putting a supplementary question?

Mr. NIHARENDU DUTTA MAZUMDAR: Sir, I find myself in a peculiar difficulty. Here is a question to which further information is necessary for this House to know but it so happens unfortunately that the Hon'ble the Home Minister seems to have given so much cause of provocation to the members of this House—at least a certain section—that unless the Hon'ble the Home Minister makes adequate amends or makes an impression thereby it will be impossible for him to give answers to the questions and to induce the members of the House to hear him. I think the House is put to great disadvantage and also the persons interested would suffer very greatly.

Mr. SPEAKER: I am speaking without any prejudice. That incident is now finished. I am appealing to the Leader of the Opposition to help me in carrying on the business of the House. I hope that after this the business of the House will proceed.

Mr. SARAT CHANDRA BOSE: In answer to your observation, Sir, I may say that no question will be addressed to the Hon'ble the Home Minister from this side of the House.

Mr. ABDULLA-AL MAHMOOD: Will the Hon'ble Minister be pleased to state whether the street hawkers and vendors have been authorised by Government to issue such badges?

The Hon'ble Khwaja Sir NAZIMUDDIN: Sir——

(At this stage there was so much uproar from the Opposition Benches that the Hon'ble Minister was not able to reply.)

Mr. SPEAKER: May I put it to the Leader of the Opposition that while it is perfectly open to them not to ask questions and thereby disapprove of the conduct of the Hon'ble the Home Minister, there may be a large number of members who are anxious to hear the Hon'ble the Home Minister's answers. I would appeal to Mr. Bose to consider whether he would try to help me in seeing that other members get their answers.

Mr. SARAT CHANDRA BOSE: Sir, in answer to the question addressed to me, may I say that I have given great thought to the matter and I feel that the feeling against the Home Minister on this side of the House is entirely justified and it is beyond my power to restrain that feeling?

Mr. NIHARENDU DUTTA MAZUMDAR: On a point of order, Sir. If with regard to the conduct of a responsible member in the Treasury Benches——

Mr. SPEAKER: That is not a point of order.

Mr. NIHARENDU DUTTA MAZUMDAR: Sir, my point of order is this: if the conduct of a responsible member of the Treasury Benches is involved, then it is up to you to see that the House is helped so that the House may carry on its business, and therefore, Sir, if that is not done, then we the members of this House stand to lose our right to hear.

Mr. SPEAKER: That is not a point of order. I have no power to decide whether a particular Minister's conduct is good or bad.

Mr. NIHARENDU DUTTA MAZUMDAR: Then, Sir, will you be pleased to take note of this?

Mr. SPEAKER: It is within my power to blame a member if he obstructs the business of the House, but so far I have not seen Sir Nazimuddin obstructing, but rather others are obstructing.

Mr. FAZLUR RAHMAN: On a point of order, Sir. You have declared that a certain section are obstructing the proceedings of the House. May I know what steps you are going to take against them?

Mr. SPEAKER: It is something more than that. No Speaker can decide without giving a good deal of consideration as to what he should do in such a case. I think it will be very difficult and dangerous for the Speaker to make any off-hand decision on a matter like this. The Speaker will have to consider very carefully what he should do. If there is a misunderstanding between the different groups it would be the first duty of the Speaker to see an end to it and explore all the possibilities of settlement before he takes the power into his own hands. No Speaker is worth the salt if he does not explore all possible avenues before he takes his decision.

Mr. FAZLUR RAHMAN: May I know from you, Sir, whether we are going to have your protection in this House or whether the proceedings of the House will be left at the mercy of a particular section of the House?

Mr. SPEAKER: I have made my position absolutely clear. It is not for the Speaker confronted with a situation like this to give his decision straightaway. Supposing you yourself had done what has been done by this section of the House, would it be fair for me to give a decision just now? I have stated distinctly that the Speaker has got power, but the Speaker's power ought to be exercised after he has explored all the possibilities of settlement which I want to do.

Mr. ABDULLA-AL MAHMOOD: Sir, I have not got any answer to my question. I am entitled to have an answer.

Dr. NALINAKSHA SANYAL: On a point of order, Sir. Yesterday although on a question of fact, I had strongly resented and pointed out that you were not correct, yet you had made certain observations against me on the assumption that I crossed the line between yourself and the Speaker in the Assembly. Just now the Chief Minister has done the same thing. I would like to know what you are going to say about that.

Mr. SPEAKER: I must say with great respect that all sections of the House are hopelessly guilty of crossing the Speaker, (Laughter.) and I am not going to tolerate anything more of this kind.

The Hon'ble Mr. A. K. FAZLUL HUQ: I am sorry, Sir, that I crossed the House.

Mr. SPEAKER: I think the members will henceforth try to see that this is not repeated.

Mr. M. SHAMSUDDIN AHMED: Sir, we are very glad to hear that from the Hon'ble the Chief Minister.

Mr. ABDULLA-AL MAHMOOD: Sir, I am entitled to have an answer from the Hon'ble the Home Minister. My question has not been answered.

Mr. NIHARENDU DUTTA MAZUMDAR: On a point of order, Sir. I raised the point of order and made my submission to you. May I in these circumstances suggest a point of order that all answers to questions concerning the Home Department be deferred until the Home Minister has helped you to create a situation in this House——

Mr. SPEAKER: I will consider that on its merits. (Laughter.)

Mr. ABDULLA-AL MAHMOOD: Will the Hon'ble Minister be pleased to state whether street hawkers and vendors are authorised by Government to issue badges to hawkers?

Mr. SANTOSH KUMAR BASU: The Hon'ble Minister may be pleased to speak but he is not being allowed to speak. (Laughter.)

Mr. NIHARENDU DUTTA MAZUMDAR: On a point of order, Sir. The Hon'ble the Home Minister is supposed to give answers to questions for the information of the members of the House. If, Sir, the Hon'ble the Home Minister answers in such a way that the House cannot hear him, then it is as good as not answered, and unless the Home Minister can make his answer heard by the members of this House it is no good——

Mr. SPEAKER: That is not a point of order.

Mr. NIHARENDU DUTTA MAZUMDAR: Sir, my point of order is that the Hon'ble the Home Minister's answers must be heard; otherwise he forfeits his right to speak.

Mr. SPEAKER: Order, order. Question time is over.

Mr. NIHARENDU DUTTA MAZUMDAR: Will you therefore please direct that this question stand over because the Hon'ble Minister has not made himself fully understood in his reply?

Mr. SPEAKER: Well, I will do what I consider proper.*

DEMAND FOR GRANT.

25—General Administration—General Administration.

Mr. SPEAKER: We will now resume discussion on the Budget grants. The House will remember that the motion of Mr. Khagendra Nath Das Gupta was still under discussion when we adjourned yesterday. Mr. Nishitha Nath Kundu.

Mr. NISHITHA NATH KUNDU: Sir, in rising to support the two motions moved by Mr. Khagendra Nath Das Gupta, I must tell the House at once that the grievances for which there was agrarian movement in Jalpaiguri and Dinajpur, were genuine and the oppressive measures that Government took was not only unjustified but quite unnecessary. It was like arraying a cannon to kill a mosquito. We may be profited by action taken when similar movement began in Dinajpur, by the Government officials there. I may submit that for the wisdom that the District Magistrate Mr. R. S Krishnaswamy and Mr. A. R. Khan, S.D.O., showed in making an amicable settlement to meet the just demands of the adhiars there, the movement at once subsided and there were no grievances, and the adhiars went on paying their just dues to the jotedars. What has happened at Dinajpur and Jalpaiguri is this. Borgadars, previous to this movement, had to carry their harvested crops to the granary of the jotedars. Now these jotedars taking advantage of this position used to realise and exact illegal abwabs of hundred kinds from the adhiars. They were realising abwabs by way of khamar chachhani and khamaru abwabs and other things. What happened in the end was that these adhiars had practically to return to their homes after one year's labour empty handed paying everything to the jotedars. So it was only for their just demands that they were making this movement quite peacefully and in a legitimate way. The jotedars came and lodged a complaint before the Subdivisional Officer and warrants and processes were issued for the arrest of these adhiars for carrying paddy to their own granaries. The adhiars are the sharers in the harvested crops. So in carrying the harvest they did not commit any offence whatsoever under the Indian

*Supplementary questions arising out of the answer to this question were allowed on the 8th March.

Penal Code, for which they were arrested and put into jail custody. In this way Government is giving unnecessary provocations to the adhiars and the movement grew due to the unwise steps which the Government officials in Jalpaiguri were taking. They may be profited by the example of the Government officers in Thakurgaon and Dinajpur. My friend Mr. Khagendra Nath Das Gupta was referring to a peculiar kind of proceedings, the very high-handed proceedings taken by the officers at Jalpaiguri. Some of these men were asked to attend a meeting, but they did not attend the meeting and therefore for this offence they were served with notices like this, which I am now going to read: these notices are in Bengali and are as follow:

ধৈর্য্য বর্ম্মন,

সাং, দিয়াবাড়ী।

মহাশয়,

এতদ্দ্বারা আপনাকে জানান যাইতেছে যে জলপাইগুড়ি জেলার মাননীয় নবাব সাহেব বাহাদুর .....মঙ্গলবার অপরাহ্নে পচাগড় ডাকবাংলায় উপস্থিত হইয়া আপনার সহিত দেখা করিয়া আপনার কথা শুনিতে ইচ্ছা করিয়াছেন, অতএব আপনাকে অনুরোধ করা যাইতেছে যে আপনি উক্ত (?).....পচাগড় ডাকবাংলায় মাননীয় নবাব সাহেব বাহাদুরের সহিত দেখা করিবেন।

আপনার অনুগত

পচাগড় থানার ভারপ্রাপ্ত কর্ম্মচারী।

তারপর এই নোটিশ D. S. O.র কাছ থেকে—

এতদ্দ্বারা আপনাকে জানান যাইতেছে যে গত ২৩.....তারিখে পচাগড় ডাকবাংলায় উপস্থিত হইবার জন্য আপনার উপর নোটিশ জারি হওয়া সত্ত্বেও আপনি ইচ্ছাপূর্বক পচাগড় ডাকবাংলায় উপস্থিত থাকার নোটিশ অমান্য করায় দণ্ড-বিধি আইনের ১৭৪ ধারা মোতাবেক সোপর্দ্দ হইবেন না কেন তাহার কারণ দেখাইবেন।

The Leader of the Opposition wanted to know who is the Nawab Bahadur referred to in the notice and I may say in reply that he is no other than our esteemed friend the Hon'ble Nawab Mushurruff Hossain, Khan Bahadur, Minister in charge of the Administration of Justice. Now, Sir, I will give a purport of the contents of the above notice. One Dhairja Mohan Barma was asked by the thana officer to attend the dak bungalow at Pachagar as the Hon'ble Nawab Mushurruff Hossain wished to hear something from him and he did not attend that place. So after that the Subdivisional Officer issued a notice for disobeying that notice under section 174 of the Indian Penal Code to show cause why he should not be proceeded against. This is how law and order is administered in Jalpaiguri, and the Government and the Ministers here will not be astonished that their administration of law and justice is

done not only in Jalpaiguri in this way but everywhere in Bengal (Cries of "shame, shame"). They are helpless and powerless to check these vagaries of the district officials and to help the poor suffering tenants but they still claim to be the popular representatives or a popular Government of this province. It is with a deep sense of regret and also of shame that I have to place these matters before the Assembly for a remedy, but we know that we are helpless here. Everything that is proposed from this side of the House is turned down not only by the Cabinet but by the members of the Coalition Party who are supposed to be the supporters of the interests of tenants. With these few words, Sir, I support the motions moved by Mr. Khagendra Nath Das Gupta.

The Hon'ble Khwaja Sir NAZIMUDDIN: So far as this question is concerned——

(Thumping of tables and stamping of feet from the Opposition Benches, so that the Hon'ble Home Minister's speech was drowned, this continued for some seconds.)

Mr. SPEAKER: Dr. Sanyal, it is my painful duty to warn you that you are obstructing the proceedings of this House, and the next time you do that I shall be under the painful necessity of taking action which I have got under the Legislative Assembly Rules.

(Clapping on benches continued.)

(The Hon'ble the Home Minister again attempted to make himself heard but table-thumping drowned his voice.)

Mr. SPEAKER: It is now about prayer time. I think that it is impossible for any one to speak in the present temper of the House and I have now to get control over the situation that has been repeatedly going on. I make it absolutely clear that in a matter like this I should try for a settlement, if possible. I think that at least a certain time of the recess should be given to the Speaker with a view to arrive at a settlement of this affair. It seems to me that a certain section of the House is determined to carry on the proceedings of the House according to their own wish. The House will be absolutely stultifying itself if that is tolerated. I am not going to do this. I will try once again whether the matter cannot in any way be settled amicably by different sections of the House. I therefore adjourn the House for the time being because the prayer time is coming about 8 minutes after and after adjournment if this thing persists, I will have the painful necessity to take such action which I think necessary and which I have got under the Assembly rules.

(The House at this stage adjourned for 28 minutes.)

(*After adjournment.*)

Mr. SARAT CHANDRA BOSE: May I request the Hon'ble Home Minister not to attempt to address the House but to resume his seat?

The Hon'ble Khwaja Sir NAZIMUDDIN: Sir, as far as the motion is concerned——

(At this stage there was table-thumping on the Opposition Benches.)

Mr. SPEAKER: Mr. Kiron Shankar Roy: It is my painful duty to hold under the rules that your conduct in my opinion is grossly disorderly, and I request you to withdraw from the House.

(Interruption continued.)

Mr. SPEAKER: Babu Narendra Narayan Chakrabarty: It is my painful duty to hold that your conduct in my opinion is grossly disorderly and I request you to withdraw from the House.

(Interruption continued.)

The Hon'ble Khwaja Sir NAZIMUDDIN: Sir,——

(There was table-thumping again.)

Mr. SPEAKER: Mr. Surendra Mohan Moitra: It is my painful duty to hold that your conduct in my opinion is grossly disorderly and I request you to withdraw from the House.

The Hon'ble Khwaja Sir NAZIMUDDIN: This is a motion, Sir——

(There was table-thumping again.)

Mr. SPEAKER: Babu Khagendra Nath Das Gupta: It is my painful duty to hold that your conduct in my opinion is grossly disorderly and I request you to withdraw from the House.

The Hon'ble Khwaja Sir NAZIMUDDIN: As far as this motion is concerned I feel that Government——

(There was table-thumping again from the Opposition Benches.)

Mr. SPEAKER: Mr. Haripada Chattopadhyay: It is my painful duty to hold that your conduct is grossly disorderly and I request you to withdraw immediately from the Chamber.

The Hon'ble Khwaja Sir NAZIMUDDIN: Sir, ——

(There was table-thumping again.)

Mr. SPEAKER: Mr. Dutta Mazumdar: It is my painful duty to hold that your conduct is grossly disorderly and I ask you to withdraw from the House.

The Hon'ble Khwaja Sir NAZIMUDDIN: Sir, ——

(There was table-thumping again.)

Mr. SPEAKER: Mr. Sasanka Sekhar Sanyal: It is my painful duty to hold that your conduct is grossly disorderly and I ask you to withdraw from the House.

As it is impossible for the Home Minister to speak I will put the motions to vote.

The question before the House is the motion of Mr. Khagendra Nath Das Gupta, namely,—

> that the demand of Rs. 1,19,26,000 under the head "25—General Administration" be reduced by Rs. 100.

(The question being put the Speaker declared "I think the Noes have it" upon which a division was demanded.)

Mr. AHMAD HOSSAIN: On a point of order, Sir. Are the members you have "named" entitled to vote?

Mr. SPEAKER: The following members, namely, Mr. Kiron Shankar Roy, Babu Narendra Narayan Chakrabarty, Mr. Surendra Mohan Moitra, Mr. Khagendra Nath Das Gupta, Babu Haripada Chattopadhyay, Mr. Niharendu Dutta Mazumdar and Mr. Sasanka Sekhar Sanyal, are not entitled to vote in this division.

The motion of Mr. Khagendra Nath Das Gupta, namely,—

> that the demand of Rs. 1,19,26,000 under the head "25—General Administration" be reduced by Rs. 100

was then put and a division taken with the following results:—

AYES—65.

Abdul Wahed, Maulvi.
Abu Hossain Sarkar, Maulvi.
Abul Fazl, Mr. Md.
Ahmed Khan, Mr. Syed.
Asimuddin Ahmed, Mr.
Banerji, Mr. P.
Banerji, Mr. Satya Priya.
Barma, Babu Premhari.
Barman, Babu Shyama Prasad.
Barman, Babu Upendra Nath.
Basu, Mr. Santosh Kumar.
Bhaumik, Dr. Gobinda Chandra.
Biswas, Babu Lakshmi Narayan.
Biswas, Mr. Resik Lal

Biswas, Mr. Surendra Nath.
Bose, Mr. Sarat Chandra.
Chaudhuri, Rai Harendra Nath.
Das, Babu Mahim Chandra.
Das, Babu Radhanath.
Das, Mr. Monmohan.
Das Gupta, Srijut Harendra Nath.
Datta, Mr. Dhirendra Nath.
Dolui, Mr. Harendra Nath.
Dutta, Mr. Sukumar.
Dutta Gupta, Miss Mira.
Emdadul Haque, Kazi.
Giasuddin Ahmed, Mr.
Goswami, Mr. Tulsi Chandra.
Gupta, Mr. Jogesh Chandra.
Gupta, Mr. J. N.
Hasan Ali Chowdhury, Mr. Syed.
Jalan, Mr. I. D.
Jonab Ali Majumdar, Maulvi.
Khan, Mr. Debendra Lall.
Kumar, Mr. Atul Chandra.
Kundu, Mr. Nishith Nath.
Maiti, Mr. Nikunja Behari.
Maji, Mr. Ardeita Kumar.
Majumdar, Mrs. Hemaprova.
Mal, Mr. Iswar Chandra.
Mandal, Mr. Jogendra Nath.
Mandal, Mr. Krishna Prasad.
Maniruzzaman Islamabadi, Maulana Md.
Maqbul Hossain, Mr.
Mookerjee, Dr. Syamaprasad.
Mukherji, Mr. Dhirendra Narayan.
Mukherji, Dr. Sharat Chandra.
Mullick, Srijut Ashutosh.
Naskar, Mr. Hem Chandra.
Pramanik, Mr. Tarinicharan.
Ray Choudhury, Mr. Birendra Kishore.
Roy, Mr. Charu Chandra.
Roy, Mr. Kamakrishna.
Roy, Mr. Kishori Pati.
Roy, Mr. Manmatha Nath.
Sanyal, Dr. Nalinaksha.
Sarker, Mr. Nalini Ranjan.
Sen, Mr. Atul Chandra.
Sen, Rai Bahadur Jogesh Chandra.
Shahedali, Mr.
Shamsuddin Ahmed, Mr. M.
Singha, Babu Kshetra Nath.
Sinha, Srijut Manindra Bhusan.
Sur, Mr. Harendra Kumar.
Waliur Rahman, Maulvi.

NOES 126.

Abdul Azik, Maulana Md.
Abdur Hafiz, Mr. Mirza.
Abdul Hafiz, Mr. Mia.
Abdul Hakeem, Mr.
Abdul Hakim Vikrampuri, Maulvi Md.
Abdul Hamid, Mr. A. M.
Abdul Jabbar, Maulvi.
Abdul Karim, Mr.
Abdul Latif Biswas, Maulvi.
Abdul Wahab Khan, Mr.
Abdulla-al Mahmood, Mr.
Abdur Rahman, Khan Bahadur A. F. M.
Abdur Rahman Siddiqi, Mr.
Abdur Rashid Mahmood, Mr.
Abdur Rasheed, Maulvi Md.
Abdur Rauf, Khan Sahib Maulvi S.
Abdur Razzak, Maulvi.
Abdus Shaheed, Maulvi Md.,
Abidur Reza Chowdhury, Khan Bahadur Maulvi.
Abul Hashim, Maulvi.
Abul Hossain Ahmed, Mr.
Abul Quasem, Maulvi.
Aftab Ali, Mr.
Ahmed Ali Enayetpuri, Khan Bahadur Maulana.
Ahmed Hossain, Mr.
Alfazuddin Ahmed, Khan Bahadur Maulvi.
Aminullah, Khan Sahib Maulvi.
Anwarul Azim, Khan Bahadur Md.
Ashrafali, Mr. M.
Asiad Hossain Khan, Maulvi.
Azhar Ali, Maulvi.
Badruddoja, Mr. Syed.
Barat Ali, Mr. Md.
Basu, Mr. Jatindra Nath.
Birkmyre, Sir Henry, Bart.
Brown, Mr. A. G.
Chippendale, Mr. J. W.
Clark, Mr. I. A.
Das, Mr. Anukul Chandra.
Das, Rai Sahib Kirti Bhusan.
Dass, Babu Debendra Nath.
Edgar, Mr. Upendranath.
Farhad Raza Chowdhury, Mr. M.
Farhat Bano Khanam, Begum.
Fazlul Huq, the Hon'ble Mr. A. K.
Fazlul Quadir, Khan Bahadur Maulvi.
Fazlur Rahman, Mr. (Dacca).
French, Mr. F. H.
Golam Sarwar Hossini, Mr. Shah Syed.
Gomes, Mr. S. A.
Griffiths, Mr. G.
Gurung, Mr. Dambar Singh.
Gyasuddin Ahmed Chowdhury, Alhaj.
Habibullah, the Hon'ble Nawab Bahadur K., of Dacca.
Hafizuddin Chowdhuri, Maulvi.
Hamiduddin Ahmed, Khan Sahib.
Hasanuzzaman, Maulvi Md.
Hasina Morshed, Mrs., M.B.E.
Hatemally Jamadar, Khan Sahib Maulvi.
Hawkings, Mr. R. J.
Haywood, Mr. Rogers.
Hendry, Mr. David.
Ispahani, Mr. M. A. H.
Jalaluddin Ahmed, Khan Bahadur Maulvi.
Kabiruddin Khan, Khan Bahadur Maulvi.
Kazem Ali Mirza, Sahibzada Nawab Jan Syed.
Kennedy, Mr. I. G.
McGregor, Mr. G. G.
Mafizuddin Ahmed, Dr.
Mafizuddin Ahmed, Maulvi.
Mafizuddin Chowdhury, Maulvi.
Maguire, Mr. L. T.
Mahtab, Maharajkumar Uday Chand.

Mahtabuddin Ahmed, Khan Bahadur Maulvi.
Mandal, Mr. Banku Behari.
Mandal, Mr. Birat Chandra.
Mandal, Mr. Jagat Chandra.
Maniruddin Akhand, Maulvi.
Mariadin, Mr. F. J.
Millar, Mr. G.
Mohammed Ali, Khan Bahadur.
Mohsin Ali, Mr. Md.
Morgan, Mr. G., C.I.E.
Moslem Ali Mollah, Maulvi.
Mozammel Huq, Maulvi Md.
Muhammad Afzal, Khan Sahib Maulvi Syed.
Muhammad Ibrahim, Maulvi.
Muhammad Ishaque, Maulvi.
Muhammad Israil, Maulvi.
Muhammad Siddique, Khan Bahadur Dr. Syed.
Muhammad Sulaiman, Khan Sahib Maulvi.
Mullick, the Hon'ble Mr. Mukunda Behary.
Mullick, Mr. Putin Behary.
Musharruff Hossain, the Hon'ble Nawab, Khan Bahadur.
Mustafa Ali Dewan, Maulvi.
Nandy, the Hon'ble Maharaja Srischandra, of Cossimbazar.
Nazimuddin, the Hon'ble Khwaja Sir, K.C.I.E.
Norton, Mr. H. R.
Raikut, the Hon'ble Mr. Prasanna Deb.
Rajibuddin Tarafdar, Maulvi.
Razaur Rahman Khan, Mr.
Roy, the Hon'ble Sir Bijoy Prasad Singh.
Roy, Mr. Dhananjoy.
Roy, Mr. Patiram.
Sahebe Alum, Mr. Syed.
Sadaruddin Ahmed, Mr.
Safiruddin Ahmed, Haji.
Salim, Mr. C. A.
Sanaullah, Al-Haj Maulana Dr.
Sarkar, Babu Madhusudan.
Serajul Islam, Mr.
Shahabuddin, Mr. Khwaja, C.B.E.
Shamsuddin Ahmed Khondkar, Mr.
Sirdar, Babu Litta Munda.
Smith, Mr. K. Brabant.
Stark, Mr. A. F.
Steven, Mr. J. W. R.
Suhrawardy, the Hon'ble Mr. H. S.
Tamizuddin Khan, the Hon'ble Mr.
Tofel Ahmed Choudhury, Maulvi Haji.
Walker, Mr. J. R.
Walker, Mr. W. A. M.
Whitehead, Mr. R. B.
Yousuf Mirza.
Zahur Ahmed Choudhury, Maulvi.

The Ayes being 65 and the Noes 126, the motion was lost.

Dr. NALINAKSHA SANYAL: On a point of order, Sir, I think, a point of order can be raised even when a division is being taken.

Mr. SASANKA SEKHAR SANYAL: Sir, may I have your permission——

Mr. SPEAKER: Mr. Sanyal, as you have been named, you are not entitled to speak in this House.

(Mr. Sasanka Sekhar Sanyal again rose to speak.)

Order, order. The question before the House is that the main demand made by the Hon'ble Khwaja Sir Nazimuddin that a sum of Rs. 1,19,26,000 be granted for expenditure under the head "25—General Administration"——

(Continued interruptions.)

Dr. NALINAKSHA SANYAL: This is sheer injustice, this is absurd. What about the other motions?

Mr. SPEAKER: Order, order. I am perfectly willing even now to recall the motion I have put even though it is not strictly regular, if I am assured that the Hon'ble Home Minister would be given a hearing.

Mr. SARAT CHANDRA BOSE: Mr. Speaker, he will be given a hearing, and I pledge that my party will give him a hearing when he makes amends. He must make gentlemanly amends for his conduct yesterday.

Dr. NALINAKSHA SANYAL: On a point of order. May I know whether we are allowed to move our motions?

Mr. SPEAKER: Order, order, Dr. Sanyal. I have explained the position sufficiently well and now I have to close the debate sometime earlier. I would be very glad to proceed with it but to allow the debate to continue will be absolutely a farce if both sides are not given proper hearing. In view of the fact that I have to carry on my statutory duty, namely, that before adjournment I have to put the motion before the House, I am doing so now.

Mr. SARAT CHANDRA BOSE: May I suggest Mr. Speaker whether it would not be more farcical to cut out all the cut motions and put the main demand? I question the right of the Speaker to do this.

Mr. SPEAKER: May I remind the Leader of the Opposition who just before appealed to the parliamentary convention that the responsibility is entirely his and nobody else's.

Mr. SARAT CHANDRA BOSE: Mr. Speaker, I take full responsibility for every word I have said in this House but I do maintain again that the Speaker has no right to cut out cut motions without putting them to vote. He has no right under any parliamentary procedure.

Mr. SPEAKER: I am afraid, I must do so. I am perfectly willing even now to reopen the whole debate if I am told that the Home Minister will be given a hearing, because I cannot have the business of the House going on in this manner.

Mr. SARAT CHANDRA BOSE: Mr. Speaker, I can tell you that you are bound to reopen the matter.

Mr. SPEAKER: May I appeal to you who is appealing so much to see that the members against whom I have taken steps leave the House first.

Mr. SARAT CHANDRA BOSE: May I tell you, Mr. Speaker, that I consider your order to be entirely irregular.

The motion of the Hon'ble Khwaja Sir Nazimuddin that a sum of Rs. 1,19,26,000 be granted for expenditure under the head "25—General Administration—General Administration" was then put and carried.

(Shouts and table-thumping from Opposition Benches.)

Adjournment.

It being 6-50 p.m.—

The House was adjourned till 4-45 p.m. on Friday, the 8th March, 1940, at the Assembly House, Calcutta.

Proceedings of the Bengal Legislative Assembly assembled under the provisions of the Government of India Act, 1935.

THE ASSEMBLY met in the Assembly House, Calcutta, on Friday, the 8th March, 1940, at 4-45 p.m.

Present:

Mr. Speaker (the Hon'ble Khan Bahadur M. AZIZUL HAQUE, C.I.E.) in the Chair, 10 Hon'ble Ministers and 218 members.

UNSTARRED QUESTIONS

(to which answers were laid on the table)

Mr. SPEAKER: We finished supplementaries on unstarred question No. 81 on day before yesterday. We shall now take up the next question in the same list.

***Supplementaries to Unstarred Question No. 82.**

Mr. ABDULLA-AL MAHMOOD: Will the Hon'ble Minister be pleased to state whether street hawkers and vendors are authorised by the police to distribute badges?

The Hon'ble Khwaja Sir NAZIMUDDIN: No, they are not authorised by the Police.

Mr. ABDULLA-AL MAHMOOD: Will the Hon'ble Minister be pleased to state whether Government contemplates taking action against the members of the Street Hawkers and Vendors Union and *pheriwallahs*?

The Hon'ble Khwaja Sir NAZIMUDDIN: There is no discrimination made as far as the action of the Police is concerned.

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*Unstarred Question No. 82 has been printed in the proceedings, dated the 6th March, 1940 and supplementary questions were allowed to-day.

Chittagong jetties.

83. Khan Bahadur MD. ANWARUL AZIM: (*a*) Will the Hon'ble Minister in charge of the Home Department be pleased to state whether the Chittagong jetties at Double Moorings are within the Chittagong Municipality or in the Double Moorings thana of the Chittagong district?

(*b*) If the jetties are outside the municipal area, will the Hon'ble Minister be pleased to state—

(*i*) what is the amount of the chaukidari tax that this institution pays to the local Union Boards of that *elaka;* and

(*ii*) what was their income during the last calendar year?

The Hon'ble Khwaja Sir NAZIMUDDIN: (*a*) Chittagong jetties are within the Chittagong Municipality.

(*b*) Does not arise.

Mr. ABDULLA-AL MAHMOOD: Will the Hon'ble Minister be pleased to state whether Government consider the desirability of bringing the Chittagong jetties within the Double Moorings police-station?

The Hon'ble Khwaja Sir NAZIMUDDIN: Sir, the answer is in the negative.

Mr. ABDUL WAHAB KHAN: Will the Hon'ble Minister be pleased to state whether it is a fact that beyond the Chittagong jetties there are railway buildings which are within the Double Moorings thana?

The Hon'ble Khwaja Sir NAZIMUDDIN: That may be so, but at present they were within the municipal limits.

Nationalisation of electricity-supplying concerns.

84. Dr. NALINAKSHA SANYAL: (*a*) Will the Hon'ble Minister in charge of the Commerce and Labour Department be pleased to state what progress has so far been made in the policy announced by the Hon'ble Minister in charge regarding—

(*i*) the nationalisation of electricity-supplying concerns; and

(*ii*) the supply of cheap electricity through the institution of the grid system?

(*b*) Have the Government received the reports of the special officers, Mr. Redclift and Mr. Parker, who were entrusted to make certain investigation regarding the extension of electricity-supplying schemes in the Province?

(*c*) If so—

(*i*) have the Government examined those reports; and

(*ii*) when do the Government propose to announce their decision thereon?

MINISTER in charge of the COMMERCE and LABOUR DEPARTMENT (the Hon'ble Mr. H. S. Suhrawardy): (*a*) Mr. Redclift, the Electrical Adviser, Bengal, was placed on special duty to report on the electrification position in Bengal with a view to the supply of cheap electricity throughout the Province and the ultimate nationalisation of electricity-supplying concerns. His recommendations are under consideration.

(*b*) Yes.

(*c*) The reports are under examination by Government, and the decision will be announced in due course after the reports have been examined.

Protection to certain Wakf Estates in the Chittagong Division.

85. Maulvi MAFIZUDDIN AHMED: (*a*) Will the Hon'ble Minister in charge of the Education Department be pleased to state—

(*i*) what were the original; and

(*ii*) what are the present properties under the *wakfs* for the following:—

(1) Sultan Bayezid Bostami's Dorgah, Chittagong,

(2) Manikpur Dorgah, Chittagong,

(3) Shah Badar Shah Dorgah, Chittagong,

(4) Shah Pir Dorgah, Chittagong,

(5) Shah Kala's Dorgah, Chittagong,

(6) Qadam Mobarak, Chittagong,

(7) Chittagong Jami Mosque,

(8) Chittagong Patharghat Mosque,

(9) Shah Rastie Dorgah, Tippera.

(10) Shah Miran Shah Dorgah, Noakhali,

(11) Kharampur Dorgah, Tippera,

(12) Shuja Mosque, Comilla,

(13) Amiruddin Dorgah's Mosque, Tippera, and

(14) Hasan Ali Jubilee School, Chandpur, Tippera?

(*b*) Do the above named *wakfs* get any protection under the present Wakf Act of 1934?

MINISTER in charge of the EDUCATION DEPARTMENT (the Hon'ble Mr. A. K. Fazlul Huq): The member is referred to the reply given by me to-day to starred question No. 186 by Dr. Sanaullah.

STARRED QUESTIONS

(to which oral answers were given)

Appointments made by the Chief Inspector, Tippera, in connection with Jute Registration work.

*186. **Maulvi MD. HASANUZZAMAN:** (*a*) Will the Hon'ble Minister in charge of the Agriculture Department be pleased to state—

(*i*) total number of primary recorders and area copyist clerks and other officers, peons and orderlies appointed by the Chief Inspector of Tippera district for Jute Registration; and

(*ii*) how many of them are (1) Hindus and (2) Muslims?

(*b*) Is it a fact that the Chief Inspector has appointed many candidates of other districts in preference to the candidates of the Tippera district?

(*c*) If the answer to (*b*) is in the affirmative, will the Hon'ble Minister be pleased to lay on the table a statement showing, with native district, the names of the appointed candidates with their qualifications?

MINISTER in charge of the AGRICULTURE and INDUSTRIES DEPARTMENT (the Hon'ble Mr. Tamizuddin Khan): (*a*) A statement is laid on the table. The appointments were made by the Director of Land Records in consultation with the Chief Controller of Jute Registration, Bengal. The Chief Inspector of Comilla was merely asked to send up names of suitable local candidates.

(*b*) No. Very few other district candidates have been appointed.

(*c*) Does not arise.

Statement referred to in the reply to clause (a) of starred question No. 196.

CHARGE—TIPPERA.

As on the 1st February, 1940.

	Muslims.	Hindus.	Scheduled Castes.	Total.
Chief Inspectors ..	1	..	..	1
Inspectors ..	3	1	1	5
Assistant Inspectors ..	21	4	1	26
Area Section Officers ..	2	1	1	4
Area checkers ..	8	2	3	13
Area copyists ..	55	22	10	87
Primary recorders ..	102	41	30	173
Clerks ..	5	4	2	11
Menials ..	31	9	4	44
Total ..	228	84	52	364

Babu MADHUSUDAN SARKAR: Will the Hon'ble Minister be pleased to state whether he has noticed that in all the districts of which lists of appointments in the department have come up before us, Scheduled Castes were not appointed up to their quota?

The Hon'ble Mr. TAMIZUDDIN KHAN: Sir, how does that arise in connection with other districts? It is about Comilla.

Mr. SPEAKER: This question relates to Comilla only.

Ejectment of tenants-at-will in Calcutta.

***197. Mr. ATUL KRISHNA GHOSE:** *(a)* Will the Hon'ble Minister in charge of the Local Self-Government Department be pleased to lay on the table a statement showing for the years 1937-38 and 1938-39—

(i) the number of tenants-at-will living in Calcutta;

(*ii*) the number of these that were for—

(1) residential purposes, and

(2) business purposes; and

(*iii*) the number of cases instituted to eject the tenants from—

(1) residential quarters, and

(2) places of carrying on business?

(*b*) Does the Hon'ble Minister contemplate an inquiry to ascertain—

(*i*) the rate of rent previous to the ejectment and subsequent to the ejectment; and

(*ii*) the reasons for which ejectment cases were instituted?

(*c*) Do the Government contemplate legislation in the matter on the lines of the Calcutta Rent Act, 1920?

MINISTER in charge of the LOCAL SELF-GOVERNMENT DEPARTMENT (the Hon'ble Nawab Khwaja Habibullah Bahadur, of Dacca): (*a*) and (*b*) Information on these points is not readily available and I am afraid that the time and labour involved in its compilation and in holding an enquiry of the nature suggested, will not be commensurate with their value.

(*c*) No.

Mr. ATUL KRISHNA GHOSE: Sir, before I put a supplementary question I would like to submit a few words before you on question of privilege. The Hon'ble Minister ought to have given a definite reply since you have admitted it. But I do not find any reason whatever for the Hon'ble Minister for saying that no purpose would be served in taking so much time and all these things. In that case you yourself ought not to have admitted the question. Under the circumstances I would like to know whether the Hon'ble Minister is at all ready to answer the questions.

Mr. SPEAKER: I have repeatedly said that unfortunately my power is limited in this respect. I held this question to be a perfectly valid question and a question which ought to be admitted, and that is why I admitted it. If Government does not answer, it is not for me to take any steps.

Mr. ATUL KRISHNA GHOSE: Sir, we would like to have your protection in the matter.

Mr. SPEAKER: I have always said that I have no power. Have you got any supplementary question?

Mr. ATUL KRISHNA GHOSE: Is the Hon'ble Minister the fact that Calcutta tenants are ejected by giving 15 days' notice only?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: That may be so.

Mr. ATUL KRISHNA GHOSE: Are we to understand that Government is going to encourage the landlords to eject their tenants by giving 15 days' notice?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: No, Sir.

Mr. ATUL KRISHNA GHOSE: Are we to understand that Government is encouraging the landlords to eject their tenants on the threat of enhancement of rents?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: No.

Mr. ATUL KRISHNA GHOSE: Are we to understand that the Government is encouraging the landlords to eject their tenants without giving any reason whatsoever?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: No.

Mr. ATUL KRISHNA GHOSE: With reference to answer (*c*), what is the significance of replying that Government are not going to make any legislation whatsoever to prevent all these things?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: As far as Government is aware, rents have gone down and they have not been enhanced.

Mr. ATUL KRISHNA GHOSE: It is not a question of rents coming down at all. Will Government be pleased to let us know whether they have got any intention whatever to protect the tenants from undue ejectment on 15 days' notice without showing any reason whatsoever? Let the Praja Government——

Mr. SPEAKER: No argument is necessary.

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: I have nothing further to add.

(At this stage Mr. Speaker asked the next question to be called out.)

Mr. ATUL KRISHNA GHOSE: Sir, my question is whether Government have any intention whatever to save the Calcutta tenants from undue ejectment by giving 15 days' notice only without giving any reason whatsoever even though the tenant has paid the rent regularly.

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: May I point out, Sir, that you have called out the next question?

Mr. ATUL KRISHNA GHOSE: If the Hon'ble Nawab Bahadur is not in a position to answer the question, let the Chief Minister give a reply what Government are going to do in the matter.

Mr. SPEAKER: I have already called out the next question.

Mr. ATUL KRISHNA GHOSE: Sir, my question has not been answered.

Mr. SPEAKER: I am sorry, I cannot argue with you.

Next question please.

Establishment of a climatic sanatorium for tuberculosis patients in Bengal.

***198. Dr. SURESH CHANDRA BANERJEE:** *(a)* With reference to the Budget speech of the Hon'ble Minister then in charge of the department on the subject of combating tuberculosis in Bengal delivered on the 13th March, 1939, and to the answer given to starred question

No. 467 on the 25th May, 1939, will the Hon'ble Minister in charge of the Medical and Public Health Department be pleased to state whether the Government have accepted the recommendations of the Expert Committee appointed to choose the site for a climatic sanatorium in Bengal?

(*b*) If the answer to (*a*) is in the negative, will the Hon'ble Minister be pleased to state the reasons for the delay in accepting the recommendations of the Committee?

(*c*) Is it a fact that the donor has expressed his desire to withdraw his contribution of Rs. 2,82,000 with interest accruing thereon during the last five years or so, unless the Government come to a definite decision in the matter by March, 1940?

(*d*) What action do the Government propose to take for the establishment of a climatic sanatorium in Bengal?

(*e*) Will the Hon'ble Minister be pleased to state the future policy of the Government of Bengal, financial and administrative, to combat the tuberculosis menace in the Province, particularly with reference to the policy of the Tuberculosis Association of India organised and guided by Her Excellency the Marchioness of Linlithgow?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: (*a*), (*b*) and (*d*) While Government have definitely decided to establish a climatic sanatorium for tuberculosis within the Province, the execution of the scheme has been held up owing to the difficulties which have arisen in the matter of the selection of a suitable site for the purpose. Government are very reluctant to locate it at any of the sites at Kalimpong recommended by the experts in view of the strong opposition of the local people. The expert advisers of Government have been directed to examine the possibility of alternative sites and to report which of these sites they consider most suitable.

(*c*) On the 27th December, 1938, the donor desired to have a refund of his donation, with interest accrued up to that date, if the sanatorium could not be established in the near future. He has since extended the time for the utilisation of his donation till the 31st March, 1940

(*e*) A comprehensive anti-tuberculosis scheme has been framed by the Public Health Department comprising various stages of work. Two items of the scheme, viz., training of medical and health officers in modern methods of diagnosis and treatment of tuberculosis patients in the hospitals at district headquarters have been already given effect to. Fourteen health officers belonging to local bodies have been already trained under this scheme. A tuberculosis survey of typical industrial and rural areas is in progress. This is likely to furnish valuable data

for future anti-tuberculosis work. In the further development of anti-tuberculosis work Government will take full advantage of the scientific knowledge and experience of the Tuberculosis Association of India and co-operate with its local branch which has been established in Bengal so that there may be an effective co-ordination of all efforts and an avoidance of overlapping. The whole question of anti-tuberculosis work is receiving the anxious consideration of Government.

Mr. SURENDRA NATH BISWAS: Will the Hon'ble Minister be pleased to state whether Government have made any arrangement for utilising the donation referred to in the question, within 31st March, 1940?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: I may say, Sir, that the Government are trying their best to find a suitable spot and as soon as that can be got, we will proceed with that. What I am suggesting is that if within the 31st March we are not able to select a site for that, we shall request that donor, if possible, to extend the time.

Mr. SURENDRA NATH BISWAS: Has the Hon'ble Minister considered the desirability of requesting the donor to donate that amount to the Jadavpur Tuberculosis Hospital?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: If Government find that it is impossible to have a climatic sanatorium, they will request the donor to give the money for other purposes.

Mr. SURENDRA NATH BISWAS: Will the Hon'ble Minister be pleased to state by what time Government will be able to decide their course of action?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: I hope, in a very short time.

Mr. ABDULLA-AL MAHMOOD: Will the Hon'ble Minister be pleased to state why the Government is waiting to select the site of this sanatorium?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: I have already given the answer.

Mr. ABDULLA-AL MAHMOOD: If Government select any site in future and similar opposition comes from the public will the Government then reconsider the matter?

Mr. SPEAKER: That is a hypothetical question.

Mr. ABDUL WAHAB KHAN: Will the Hon'ble Minister be pleased to state what are the particular alternative sites, if any, now under examination?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: I cannot say that off-hand. There are several recommendations regarding sites. If the honourable member requires me to give particulars, I want notice for that.

Tangi-Tangail Railway project.

*199. **Mr. AMRITA LAL MONDAL:** (*a*) Will the Hon'ble Minister in charge of the Communications and Works Department be pleased to state what is the present position of the Tangi-Tangail Railway project?

(*b*) Have the Bengal Government submitted any report regarding the said project to the Central Government.

(*c*) If so, will the Hon'ble Minister be pleased to lay on the table a copy of the said report?

(*d*) Is the Hon'ble Minister aware that Tangail is a jute centre?

(*e*) If so, will the Hon'ble Minister be pleased to state whether the Government contemplate the approval of the Tangi-Tangail Railway project?

MINISTER in charge of the COMMUNICATIONS and WORKS DEPARTMENT (the Hon'ble Maharaja Srischandra Nandy, of Cossimbazar): (*a*) and (*e*) It has been decided not to proceed with the examination of the proposal to construct a railway north of Tangail. I expect that a decision regarding the Tangi-Tangail portion will be reached at a very early date.

(*b*) No.

(*c*) Does not arise.

(*d*) Yes.

Trade unions with registered offices in Calcutta.

***260. Dr. SURESH CHANDRA BANERJEE:** (*a*) Will the Hon'ble Minister in charge of the Commerce and Labour Department be pleased to state the number and names of the trade unions with registered offices in Calcutta—

(*i*) that have applied before the Trade Union Constituencies Tribunal claiming to be certified under sub-paragraph (*2*) or under sub-paragraphs (*1*) and (*2*) of paragraph 18 of Part IV of the Government of India (Provincial Legislative Assemblies) Order, 1936;

(*ii*) that have been certified under sub-paragraphs (*1*) and (*2*) of paragraph 18 *ibid*; and

(*iii*) whether any objections were raised against the trade unions claiming to be thus certified?

(*b*) If the answer to (*iii*) is in the affirmative, will the Hon'ble Minister be pleased to state—

(*i*) the names of trade unions against which objections were raised; and

(*ii*) the nature of the objections?

(*c*) Is it a fact—

(*i*) that objections were raised only against those trade unions which are affiliated to the All-India Trade Union Congress; and

(*ii*) that no objections were raised against trade unions having their offices at 57-D, Chittaranjan Avenue, Calcutta?

(*d*) Will the Hon'ble Minister be pleased to state the names of the unions having their offices at 57-D, Chittaranjan Avenue, Calcutta?

(*e*) Is the Hon'ble Minister aware that the trade unions having offices at 57-D, Chittaranjan Avenue, belong to the Bengal National Chamber of Labour?

The Hon'ble Mr. H. S. SUHRAWARDY: (*a*) (*i*) 47, *vide* statement (A) laid on the Library table.

(*ii*) 21, *vide* statement (B) laid on the Library table.

(*iii*) Yes, against some.

(*b*) (*i*) *Vide* statement (C) laid on the Library table.

(*ii*) So far as I am aware, the objections were based on one or more of the grounds defined in paragraph 18 (*2*) of Part IV of the Government of India (Provincial Legislative Assemblies) Order, 1936.

(*c*) (*i*) I am unable to say as we have no official information which of the unions are members of the All-India Trade Union Congress.

(*ii*) Only 4 trade unions at this address applied for recognition. No objections were raised against any of them.

(*d*) *Vide* statement (D) laid on the Library table.

(*e*) I have no official information.

Promotions made to certain posts during the tenure of the present Assistant Directors of Public Instruction.

***201. Maulvi MOSLEM ALI MOLLAH:** (*a*) Will the Hon'ble Minister in charge of the Education Department be pleased to state—

(*i*) how promotions to the posts of—

(1) Assistant Head Master,

(2) Head Master,

(3) Subdivisional Inspector, and

(4) District Inspector of Schools

in Bengal are made;

(*ii*) the number of such promotions that were made during the time of present Assistant Directors of Public Instruction in Bengal; and

(*iii*) whether seniority in the length of service was taken into consideration in all those cases?

(*b*) Will the Hon'ble Minister be pleased to lay on the table a statement showing—

(1) the names,

(2) the native districts,

(3) the length of service, and

(4) the posts held previously

of the persons promoted to the posts of—

(*i*) Assistant Head Master,

(*ii*) Head Master,

(*iii*) Subdivisional Inspector, and

(*iv*) District Inspector

of schools during the time of the said Assistant Directors of Public Instruction?

The Hon'ble Mr. A. K. FAZLUL HUQ: (*a*) (*i*) The procedure adopted is as follows:—

(1) Recommendations from local controlling officers are periodically invited.

(2) These recommendations when received are scrutinised on the basis of past records and a preliminary selection is made.

(3) The preliminary selection is placed before a Committee appointed by the Director of Public Instruction and a final selection is made by this Committee after personal interview.

(4) The selection of the Committee in respect of appointments of Assistant Head Masters and Subdivisional Inspectors of Schools is incorporated in an official list (called the "panel"), in which the names are arranged in an order of priority of claims determined on the basis of the relative merits of the officers selected. Appointments are made from this panel generally in serial order.

With regard to the appointments of Head Masters and District Inspectors of Schools, the selection of the Departmental Committee is placed before the Public Service Commission who make their recommendations to Government and appointments are made by Government on the basis of the Commission's recommendations.

(*ii*) The number is 28, viz.—

Assistant Head Masters	...	11
Head Masters	...	11
Subdivisional Inspectors	...	2
District Inspectors	...	4

(*iii*) Yes.

(*b*) Four statements furnishing the information are laid on the table.

Statement referred to in the reply to clause (b)(1) to (4)(i) of starred question No. 201, showing the particulars of officers promoted to the rank of Assistant Head Master from the 1st July, 1939, up to date.

Name and designation.	Native district.	Length of service.	Post held previously.
		Y. M. D.	
1. Mr. Prasanta Kumar Sen, Assistant Head Master, Jhalakati Government High School.	Faridpur ..	8 11 11	Physical Instructor, Hooghly Mohsin College.
2. Mr. Jatindra Mohan Banerjee, Assistant Head Master, Nawab Bahadur's Institution, Murshidabad.	24-Parganas ..	11 2 10	Assistant Master.
3. Mr. Hedayetul Islam, Assistant Head Master, Rajshahi Collegiate School.	Chittagong ..	13 11 9	Assistant, Physical Laboratory, Islamia College.
4. Maulvi Md. Sadaruddin Shaikh, Assistant Superintendent, Rangpur Normal School.	Rangpur ..	4 9 5	Assistant Master.
5. Mr. Syed Hamidur Rahman, Assistant Head Master, Pabna Zilla School.	Mymensingh ..	4 5 26	Ditto.
6. Mr. Bejoy Kumar Dutta, Assistant Head Master, Bhola Government High School.	Tippera ..	9 2 15	Physical Instructor.

Name and designation.	Native district.	Length of service.	Post held previously.
		Y. M. D.	
7. Maulvi Md. Ishaque, Assistant Head Master, Jessore Zilla School.	Jessore ..	22 3 14	Assistant Master.
8. Babu Kiron Chandra Ghosh, Assistant Head Master, Jamalpur Government High School.	Ditto ..	11 11 5	Ditto.
9. Babu Gour Gopal Roy, Assistant Head Master, Uttarpara Government High School.	Murshidabad ..	10 5 20	Ditto.
10. Maulvi Samiruddin Ahmed, Assistant Head Master, A. P. Department, Calcutta Madrasah.	Bogra ..	20 5 6	English Teacher.
11. Babu Kanailal Mukherjee, Assistant Head Master, Jalpaiguri Zilla School.	Nadia ..	5 3 4	Assistant Master.

Statement referred to in the reply to clause (b) (1) to (4) (ii) of starred question No. 201, showing the particulars of officers promoted to the rank of Head Master from the 1st July, 1939, up to date.

Name and designation.	Native district.	Length of service.	Post held previously.
		Y. M. D.	
1. Mr. Abdus Sobhan, Head Master, Nawab Bahadur's Institution, Murshidabad.	Malda ..	16 11 28	Assistant Master, Rajshahi Collegiate School (officiating Head Master, Nawab Bahadur's Institution, Murshidabad).
2. Mr. Satyananda Pramanik, Head Master, Bankura Zilla School.	Nadia ..	2 7 21	Assistant Head Master, Jessore Zilla School.
3. Mr. A. K. M. Abdul Aziz, Head Master, Mymensingh Zilla School.	Bogra ..	1 6 7	Assistant Head Master, Rajshahi Collegiate School.
4. Mr. Gopeswar Mukherjee, Head Master, Khulna Zilla School.	Calcutta ..	14 11 18	Assistant Superintendent, Rangpur Normal School.
5. Maulvi Abdul Wajed Khan Choudhury, Head Master, Birbhum Zilla School.	Khulna ..	10 1 21	Assistant Head Master, Khulna Zilla School.
6. Maulvi Gholam Mustafa, Head Master, Hooghly Collegiate School.	Jessore ..	20 0 16	Assistant Head Master, Ballyganj Government High School.
7. Mr. Hedayetul Islam, Head Master, Jamalpur Government High School.	Chittagong ..	14 3 5	Assistant Head Master, Rajshahi Collegiate School.

Name and designation.	Native district.	Length of service.	Post held previously.
		Y. M. D.	
8. Mr. Mani Mohan Sen Gupta, Head Master, Rajshahi Collegiate School.	Nadia ..	13 0 19	Assistant Head Master, Nawab Bahadur's Institution, Murshidabad.
9. Babu Kali Charan Adhya, Head Master, Uttarpara Government High School.	Howrah ..	24 6 18	Assistant Head Master, Uttarpara Government High School.
10. Maulvi Nabi Nawaz Khan Lodi, Head Master, Rangpur Zilla School.	Pabna ..	15 6 13	Assistant Head Master, Malda Zilla School.
11. Maulvi Azhar Ali Khan, Head Master, Dinajpur Zilla School.	Jessore ..	23 4 26	Assistant Head Master, Barrackpur Government High School.

Statement referred to in the reply to clause (b) (1) to (4) (iii) of starred question No. 201, showing the particulars of officers promoted to the rank of Subdivisional Inspector of Schools from the 1st July, 1939, up to date.

Name and designation.	Native district.	Length of service.	Post held previously.
		Y. M. D.	
1. Mr. Satyendra Nath Das Majumdar, Subdivisional Inspector of Schools, Tangail, Mymensingh.	Tippera ..	8 6 5	Sub-Inspector of Schools.
2. Mr. Benoy Krishna Neogy, Subdivisional Inspector of Schools, Murshidabad. (15th December, 1939.)	Bankura ..	6 7 20	Ditto.

Statement referred to in the reply to clause (b) (1) to (4) (iv) of starred question No. 201, showing the particulars of the officers promoted to the rank of District Inspector of Schools from the 1st July, 1939, up to date.

Name and designation.	Native district.	Length of service.	Post held previously.
		Y. M. D.	
1. Maulvi Shamsul Haque, District Inspector of Schools, Bakarganj.	Tippera ..	5 0 23	Lecturer in Economics, Islamia College.
2. Mr. Samarendra Kishore Dutta, District Inspector of Schools, Dinajpur.	Sylhet ..	16 7 5	Lecturer in History, Chittagong College.
3. Babu Hriday Ranjan Ghosal, District Inspector of Schools, Bankura.	24-Parganas ..	10 7 23	Subdivisional Inspector of Schools, Murshidabad.
4. Mr. Abdur Rashid, District Inspector of Schools, Bogra.	Faridpur ..	16 5 17	Assistant Head Master, Jamalpur Government High School.

Mr. SHAHEDALI: With reference to answer (*a*) (*i*) (*2*), viz., these recommendations when received are scrutinised on the basis of past records and a preliminary selection is made, will be Hon'ble Minister be pleased to state if it is a fact that Maulvi Anser Ali, Assistant Head Master of the Khulna Zilla School got Rs. 20 as scholarship in the Entrance and F. A. Examinations, and in spite of 20 years' service in his credit, his case has not been considered?

Mr. SPEAKER: You cannot ask individual questions like this. You may ask general questions.

Mr. SHAHEDALI: The Hon'ble Minister in his reply has stated about past records and merits. I beg to submit that in Bengal there is no other candidate so efficient and so brilliant, as Maulvi Anser Ali, and yet his case was not considered.

Mr. SPEAKER: I cannot allow you to put individual questions. It will do real harm. Supposing there are records which should not be published, is it desirable that those should be made public? You can ask general questions.

Mr. SHAHEDALI: Will the Hon'ble Minister be pleased to state whether officers having in their credit scholarships in Entrance and F. A. Examinations, and in spite of their being highly recommended were not considered fit for promotion by the department?

The Hon'ble Mr. A. K. FAZLUL HUQ: I believe, Sir, the officers who do the work of selection do their work honestly. If any officer has got any ground of complaint he is always entitled to make an appeal.

Mr. ABDULLA-AL MAHMOOD: Will the Hon'ble Minister be pleased to state whether this procedure was strictly followed during the time when Dr. W. A. Jenkins was in charge of Public Instruction?

Mr. SPEAKER: That question does not arise.

Mr. ABDULLA-AL MOHMOOD: It does arise, Sir. I definitely put my question whether at the time of Dr. Jenkins this procedure was followed or not.

Mr. SPEAKER: That does not arise out of this.

Appointments made in the posts of Assistant English Teachers and Sub-Inspectors of Schools during the tenure of the present Assistant Directors of Public Instruction.

*202. **Maulvi MOSLEM ALI MOLLAH:** (*a*) Will the Hon'ble Minister in charge of the Education Department be pleased to state how many appointments both in the temporary and permanent vacancies in the posts of—

(*i*) Assistant English teacher, and

(*ii*) Sub-Inspector of Schools, Bengal,

have been made since Khan Bahadur Maulvi Abdur Rahman Khan and Khan Sahib Mr. Badiur Rahman took over charge as the Assistant Directors of Public Instruction, Bengal?

(*b*) Will the Hon'ble Minister be pleased to lay on the table a statement showing—

(*i*) the names,

(*ii*) the educational qualifications,

(*iii*) the experiences,

(*iv*) the native districts,

(*v*) the dates of appointments, and

(*vi*) the age on the date of appointment,

of the persons taken in those vacancies?

(*c*) Were the names of all those persons in the provincial panel on the date of their appointment?

(*d*) Were they taken for appointment serially from the top of the panel?

(*e*) If the answer to (*d*) is in the negative, will the Hon'ble Minister be pleased to state the reasons thereof and note in the statement asked for in (*b*), the position of each in the panel?

The Hon'ble Mr. A. K. FAZLUL HUQ: (*a*) 24 appointments (temporary and permanent), viz., 14 Assistant English teachers and 10 Sub-Inspectors of Schools.

(*b*) Two statements showing the names and other particulars of the officers are laid on the table.

(*c*) Yes.

(*d*) No.

(*e*) As vacancies are filled according to the needs and requirements of the appointments, it is not always possible to make appointments serially from the panel.

The position of each appointee has been shown against his name in the statement.

Statement referred to in the reply to clause (b) of starred question No. 202, showing the particulars of officers appointed as Assistant Masters (English Teachers) from the 1st July, 1939, up to date.

Name.	Educational qualifications.	Experience	Native district.	Date of appointment.	Age on the date of appointment.	Position in the panel.
					Y. M. D	
(1) Maulvi Mahfuzur Rahman Bhuiyan, Assistant Master, Jamalpur Government High School.	M.A., B.T. ..	About 8 months as a teacher and lecturer.	Dacca	1-8-39	28 7 1	No. 16 of the Muslim Panel.
(2) Maulvi Helaluddin Ahmed, Assistant Master, Barasat Government High School.	M.A., B.T ..	About 3 years as a teacher.	Ditto .	6-8-39	29 7 6	No. 6 of the Muslim Panel.
(3) Maulvi Abdul Khaleque, Assistant Master, Rangamati Government High School.	B.Sc., B.T.	3 years as a teacher	Chittagong .	7-8-39	28 6 7	No. 3 of the Supplementary Muslim Panel.
(4) Mr. Md. Abdul Jabbar, Assistant Master, Chittagong Government Moslem High School (*a*)	B.A., B.T. Diploma in Education (Edinburgh).	4 years 2 months	Rangpur .	1-9-39	38 7 1	No. 35 of the Muslim Panel.
(5) S. Abu Rashed Bazle Kader, Assistant Master, Ballyganj Government High School.	B.A., B.T. .	Nil	Calcutta	6-10-39	22 9 3	No. 38 of the Muslim Panel.
(6) Maulvi Shaikh Mainuddin Ahmed, Assistant Master, Pabna Zilla School.	B.A., B.T. .	About 3 years as a teacher.	Malda	4-12-39	29 10 4	No. 8 of the Muslim Panel.
(7) Maulvi Abdur Razzaque, Assistant Master, Malda Zilla School	B.A., B.T. ..	3 years as a teacher	Murshidabad	6-12-39	29 9 5	No. 9 of the Muslim Panel.

(*a*) Held substantive appointment as Vernacular Teacher previous to his appointment as Assistant Master.

Name.	Educational qualifications.	Experience.	Native district.	Date of appointment.	Age on the date of appointment.	Position in the panel.
					Y. M. D.	
(8) Babu Prafulla Kumar Bhowmic, Assistant Master, Perojpur Government High School.	B.Sc., B.T. ..	One year and 2 months as a teacher.	Jalpaiguri ..	20-12-39	29 11 6	No. 6 of the Non-Muslim Panel.
(9) Babu Nabanidhar Das, Assistant Master, Jalpaiguri Zilla School.	B.Sc., B.T. ..	6 years as a teacher	Birbhum ..	22-12-39	29 3 22	No. 12 of the Non-Muslim Panel.
(10) Mr. Kumud Bandhu Majumdar, Assistant Master, Jessore Zilla School. (*a*)	B.A., B.T., Diploma in Education (Edinburgh).	About 3 years as a teacher.	Faridpur ..	6-1-40	28 10 20	No. 37 of the Non-Muslim Panel.
(11) Mr. Abdul Hamid, Assistant Master, Makla Zilla School.	B.A., B.T., Diploma in Education (Leeds).	More than 4 years as a teacher and a Sub-Inspector of Schools.	Dacca .	8-1-40	31 3 23	No. 37 of the Muslim Panel.
(12) Amulya Nath Bhattacharya, Assistant Master, Hare School.	M.A., B.T. ..	More than 2 years as a teacher.	Ditto .	16-1-40	30 1 1	No. 15 of the Non-Muslim Panel.
(13) Babu Haripada Chakravarty; Assistant Master, Uttarpara Government High School. (*b*)	M.A. ..	15 years 6 months	Bankura .	February, 1940.	43 3 1	No. 31 of the Non-Muslim Panel.
(14) Maulvi A. N. M. Bazlur Rashid, Assistant Master, Jalpaiguri Zilla School. (*c*)	B.A., B.T. .	5 years 1 month	Faridpur ..	Ditto	27 0 0	No. 33 of the Muslim Panel.

(*a*) Scheduled Caste.

(*b*) Held substantive appointment as Head Pandit previous to his appointment as Assistant Master.

(*c*) Held substantive appointment as Vernacular Teacher previous to his appointment as Assistant Master.

Statement referred to in the reply to clause (b) of starred question No. 202, showing the particulars of officers appointed as Sub-Inspectors of Schools from the 1st July, 1939, up to date.

Name.	Educational qualifications.	Experience.	Native district.	Date of appointment.	Age on the date of appointment.	Position in the panel.
					Y. M. D.	
(1) Babu Kali Prasad Roy, Sub-Inspector of Schools, Sarupkati, Bakarganj.(a)	M.A., B.T. ..	7 years 8 months ..	Bakarganj ..	7-7-39	30 5 12	No. 34 of the Non-Muslim Panel.
(2) Mr. A. B. M. Abdul Quadir, Sub-Inspector of Schools, West Sadar, Faridpur.	B.A., B.T. ..	More than 3 years as a teacher and a Sub-Inspector of Schools.	Noakhali ..	31-7-39	29 8 0	No. 5 of the Muslim Panel.
(3) Mr. Mulkutur Rahman, Sub-Inspector of Schools, Gopiballavpur, Midnapore.	B.A., B.T. ..	2 years and 1 month as a teacher.	Chittagong ..	14-8-39	29 6 14	No. 7 of the Muslim Panel.
(4) Babu Bidhu Bhusan Mutsuddy, Sub-Inspector of Schools, Darjeeling Terai.	B.A., B.T. ..	3 years as a teacher	Ditto ..	15-9-39	29 10 15	No. 4 of the Non-Muslim Panel.
(5) Babu Sudhansu Kumar Roy, Sub-Inspector of Schools, Bogra Sadar.(b)	B.Sc., B.T. ..	5 years as a teacher	Bogra ..	20-9-39	27 8 20	No. 21 of the Non-Muslim Panel.
(6) Babu Biswesswar Das, Sub-Inspector of Schools, Nasirnagar, Tippera.(b)	M.A., B.T. ..	More than 2 years as a teacher.	Faridpur ..	28-9-39	29 1 13	No. 11 of the Non-Muslim Panel.

Name.	Educational qualifications.	Experience.	Native district.	Date of appointment.	Age on the date of appointment.	Position in the panel.
					Y. M. D.	
(7) Babu Sudhansu Sekhar Sen Gupta, Sub-Inspector of Schools, Panchagarh, Jalpaiguri.	B.Sc., M.A. B.T.	More than 2 years as a teacher and a Sub-Inspector of Schools.	Burdwan ..	2-10-39	31 4 1	No. 1 of the Non-Muslim Supplementary Panel.
(8) Mr. Gholam Mozammel Hossain, Sub-Inspector of Schools, Dinajpur Sadar.	B.A., B.T. .	More than 2 years as a teacher and a Sub-Inspector of Schools.	Malda ..	16-10-39	29 5 16	No. 12 of the Muslim Panel.
(9) Babu Prafulla Sankar Sen, Sub-Inspector of Schools, Chandpur, Tippera.	B.A., B.T. ..	About 2 years as a teacher.	Dacca .	20-12-39	29 9 20	No. 8 of the Non-Muslim Panel.
(10) Maulvi Sk. Abdul Jabbar, Sub-Inspector of Schools, Sherpur, Mymensingh.	B.A., B.T. .	3 years as a teacher and a Sub-Inspector of Schools.	Malda	January, 1940.	29 7 0	No. 10 of the Muslim Panel

(*a*) Acted as Pandit, Dacca Normal School. Scheduled Caste.

(*b*) Scheduled Caste.

Mr. NARENDRA NATH DAS GUPTA: Will the Hon'ble Minister be pleased to state why out of 14 Assistant Masters only 5 have been taken from non-Muslims?

The Hon'ble Mr. A. K. FAZLUL HUQ: The appointments have been made after careful scrutiny and those persons who were considered fit have been appointed?

Mr. NARENDRA NATH DAS GUPTA: Will the Hon'ble Minister be pleased to state what procedure has been followed in recruiting these teachers?

The Hon'ble Mr. A. K. FAZLUL HUQ: I have already given my answer, that the preliminary selection of the candidates is made by a committee. If further information is needed, I must have notice.

Construction of Mymensingh-Tangail Road.

*203. **Mr. AMRITA LAL MONDAL:** (*a*) Will the Hon'ble Minister in charge of the Communications and Works Department be pleased to state when the following works in connection with the Mymensingh-Tangail Road are expected, namely—

(*i*) the metalling of the road from Mymensingh to Madhupur;

(*ii*) the earth work and the metalling of the same road from Madhupur to Kalihati; and

(*iii*) the earth work and metalling of the same road from Kalihati to Tangail?

(*b*) How many bridges will be constructed from Kalihati to Tangail?

(*c*) How long will it take to finish the construction of the bridges?

(*d*) Do the Government propose to complete the construction of the Mymensingh-Tangail Road within a year?

(*e*) Is the Hon'ble Minister aware that this is an important road for communication with Tangail?

(*f*) What steps have the Government taken to expedite the work?

(*g*) Have the Government provided necessary funds for the speedy execution of the work by the Executive Engineer?

The Hon'ble Maharaja SRISCHANDRA NANDY, of Cossimbazar: (*a*) and (*c*) I am unable to say when any particular kind of work will be completed on the separate sections of the road but I think that the

whole length will be completed by the end of 1945 if the necessary funds are voted, and no difficulty or delay is experienced in getting materials including steel girders and screw piles for the bridges.

(*b*) 30.

(*d*) No, this is not possible.

(*e*) Yes.

(*f*) and (*g*) The Assembly is being asked to approve of the expenditure of Rs. 5,31 lakhs on the road during the coming year. This sum is about one-third of the normal allotment made to this Province from the proceeds of the petrol tax.

Classification of contractors by the Superintending Engineer, Presidency Circle.

***204. Maulvi AHMED ALI MRIDHA:** (*a*) Is the Hon'ble Minister in charge of the Communications and Works Department aware—

(*i*) that recently the Superintending Engineer, Presidency Circle, has issued a notice for classification of contractors; and

(*ii*) that he has divided the contractors into different classes?

(*b*) If so, into how many classes have the contractors been divided?

(*c*) How many contractors have fallen into each such class?

(*d*) How many of them are—

(*i*) Muslims;

(*ii*) Scheduled Castes; and

(*iii*) Hindus other than members of the Scheduled Castes?

(*e*) Will the Hon'ble Minister be pleased to state the amount of money for which contracts have been given to—

(*i*) Muslims,

(*ii*) members of the Scheduled Castes; and

(*iii*) Hindus other than Scheduled Castes,

in the year 1939-40 in the said Circle?

The Hon'ble Maharaja SRISCHANDRA NANDY, of Cossimbazar: (*a*) Yes.

(*b*) Four.

(*c*) and (*d*) A statement showing the number of Hindus and Muslims is laid on the table. It will take some time to ascertain how many

of the Hindus are members of the Scheduled Castes. I am having inquiries made and shall endeavour to let the hon'ble member have the information which he desires.

(*e*) If the hon'ble member repeats this question after the accounts for the current financial year are made up, I trust that I shall be able to give him the required information.

Statement referred to in the reply to clauses (c) and (d) of starred question No. 204.

	Class.			
	I	II	III	IV
Hindus	11	14	39	128
Muslims	Nil	5	10	22

Maulvi AHMED ALI MRIDHA: Will the Hon'ble Minister be pleased to state what is the test applied or demanded by the Superintending Engineer in respect of Contractors to be included under different classes?

The Hon'ble Maharaja SRISCHANDRA NANDY, of Cossimbazar: The first is financial stability, the second technical knowledge, and the third past experience.

Maulvi AHMED ALI MRIDHA: Is the Hon'ble Minister aware that there is a strong feeling in the country that the new step for classifying the Contractors under different classes is a move intended to oust the Muslim Contractors?

The Hon'ble Maharaja SRISCHANDRA NANDY, of Cossimbazar: I should think it is just the other way about.

Vacancies filled up by the Collector of Faridpur after the transfer of Mr. Hill.

*295. **Maulvi AHMED ALI MRIDHA:** (*a*) Will the Hon'ble Minister in charge of the Revenue Department be pleased to state—

(*i*) how many vacancies occurred in the permanent cadre under the Magistrate and Collector of Faridpur after Mr. Hill left the district on transfer;

(*ii*) how many of them have been filled up to date; and

(*iii*) how many of those appointed are—

(1) Muslims,

(2) Scheduled Castes, and

(3) other communities?

(*b*) Are there any temporary hands in the employ of the Collectorate who are senior in service to the persons who have secured permanent appointments?

(*c*) If so, how many of them are—

(*i*) Muslims,

(*ii*) Scheduled Castes, and

(*iii*) other communities?

MINISTER in charge of the REVENUE DEPARTMENT (the Hon'ble Sir Bijoy Prasad Singh Roy): (*a*) (*i*) 24.

(*ii*) 24.

(*iii*) (1) Muslims	...	...	7
(2) Scheduled Castes	...	...	3
(3) Others	...	..	14

(*b*) Yes.

(*c*) (*i*) Muslims	...	...	1
(*ii*) Scheduled Castes	..		Nil
(*iii*) Others	..	...	7

Maulvi AHMED ALI MRIDHA: Will the Hon'ble Minister be pleased to state who was the officer during whose incumbency these appointments were made?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: I ask for notice.

Maulvi AHMED ALI MRIDHA: Will the Hon'ble Minister be pleased to state whether the Government decision with regard to communal ratio in the services was communicated to this district at all up to this time?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: All these appointments except one were made before the Government decision on communal ratio.

Khan Bahadur Maulvi JALALUDDIN AHMAD: What is that post excepted by the Minister? Is that under the Court of Wards?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: I don't follow the honourable member's question.

Khan Bahadur Maulvi JALALUDDIN AHMAD: The Hon'ble Minister said that all these appointments excepting one were made before the Government decision. What is that post?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: What I said was that all these appointments except one, that is, 23 out of 24 appointments were made before the Government's decision on communal ratio.

Khan Bahadur Maulvi JALALUDDIN AHMAD: Is the Hon'ble Minister aware of the fact that in answer to my question during the last session he said that no decision was arrived at so far as the appointments under the Court of Wards were concerned?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: I don't think that question arises.

Maulvi AHMED ALI MRIDHA: When was the Government decision made with regard to communal ratio?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: I ask for notice. I don't exactly remember when the decision was taken but I think it was sometime in September or October, 1939.

Maulvi AHMED ALI MRIDHA: When was the last but one appointment made?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: I ask for notice.

Leather Tanning and Trading School at Chittagong.

***206. Khan Bahadur FAZLUL QUADIR:** (*a*) Will the Hon'ble Minister in charge of the Industries Department be pleased to state whether the scheme for the establishment of a Leather Tanning and Trading School at Chittagong has been administratively approved?

(*b*) If the answer to (*a*) is in the negative, will the Hon'ble Minister be pleased to state the reason therefor?

(*c*) When is the administrative approval likely to be received?

(*d*) Will the Hon'ble Minister be pleased to state—

(*i*) whether the site for the proposed school has been selected;

(*ii*) whether the proposal for free gift of land for the purpose has been accepted; and

(*iii*) whether the estimate and plan have been prepared and sanctioned by the Government?

(*e*) When do the Government propose to put up the demand for the vote of this House?

The Hon'ble Mr. TAMIZUDDIN KHAN: (*a*) No.

(*b*) There was originally a proposal to establish two Leather Trades Schools—one at Dacca and the other at Chittagong—but as the schools would be experimental and involve large capital and recurring expenditure on account of acquisition of land, buildings and equipment, it was decided to establish, in the first instance, only one school at Dacca as an experimental measure. The scheme for the Leather Trades School at Dacca was accordingly administratively approved but on account of financial stringency, no provision for it could be included in the Budget for 1940-41.

(*c*) and (*d*) (*i*) and (*iii*) Do not arise.

(*d*) (*ii*) No such proposal has been received by Government.

(*e*) Does not arise.

Khan Bahadur FAZLUL QUADIR: With reference to answer (*d*) (*ii*), will the Hon'ble Minister be pleased to state whether he has received any letter, dated September, 1938, from the questioner offering 3 bighas of land for this purpose?

The Hon'ble Mr. TAMIZUDDIN KHAN: I am sorry, I could not hear the question because of the noise.

Mr. ABDULLAH-AL MAHMOOD: Will the Hon'ble Minister be pleased to state whether he has received any proposal from Khan Bahadur Fazlul Quadir offering 3 bighas of land for the purpose of this school in September, 1938?

The Hon'ble Mr. TAMIZUDDIN KHAN: I am not sure but if the Khan Bahadur Saheb says that he has made the offer, that must be true.

Mr. ABDULLAH-AL MAHMOOD: Will the Hon'ble Minister be pleased to state what action, if any, Government contemplate taking on that letter?

The Hon'ble Mr. TAMIZUDDIN KHAN: The action that the Government contemplate taking has been indicated in the answer.

Khan Bahadur FAZLUL QUADIR: Will the Hon'ble Minister be pleased to state whether Mr. B. N. Das, Superintendent of the Technical School, went to Chittagong to select a site in consultation with the Executive Engineer and the District Magistrate and approved of a site?

The Hon'ble Mr. TAMIZUDDIN KHAN: In view of the Government decision, I do not know how that is possible. If any one went to select a site, it was perhaps done in anticipation that in all probability the Government's decision would be taken thereafter.

Khan Bahadur FAZLUL QUADIR: Will the Hon'ble Minister be pleased to enquire whether a site has been finally selected and approved by the Committee?

The Hon'ble Mr. TAMIZUDDIN KHAN: I don't think that a site has been, or can be, selected in view of the Government decision that only the contemplated school at Dacca will first of all be established. Administrative sanction has been given for that scheme but only as an experimental measure. On its proving a success it will be for the Government to consider whether another school should be established at Chittagong.

SHORT NOTICE STARRED QUESTION.

Grievances of Calcutta Electric Supply Workers.

***206A. Dr. SURESH CHANDRA BANERJEE:** (*a*) Has the attention of the Hon'ble Minister in charge of the Commerce and Labour Department been drawn to a resolution passed at the third annual general meeting of the Calcutta Electric Supply Workers Union held on the 25th February, 1940, at Wellington Square, to the effect that unless a war-bonus of 25 per cent. of their wages be declared within a week from that date, by the Calcutta Electric Supply Corporation, Limited, the workers of that Corporation will have no other option but to take recourse to the last step?

(*b*) Will the Hon'ble Minister be pleased to state whether he has received any letter with a copy of the above resolution from the Acting General Secretary of the Calcutta Electric Supply Workers Union?

(*c*) If the answers to (*a*) and (*b*) are in the affirmative, will the Hon'ble Minister be pleased to state what steps, if any, the Government have taken in the matter?

The Hon'ble Mr. H. S. SUHRAWARDY: (*a*) and (*b*) Yes.

(*c*) There is no need to take any steps, as, long before the meeting was held, the Company was in consultation with Government on the question of the increase and has already allowed an increase in the form of war bonus to meet the extra cost of living.

UNSTARRED QUESTIONS

(answers to which were laid on the table)

Rules for obtaining consent of creditors to amicable settlement of debts in Debt Settlement Boards.

86. Mr. DHIRENDRA NATH DUTTA: (*a*) With reference to the reply to clauses (*a*) (*ii*) and (*b*) of starred question No. 43 of the 20th February, 1939, will the Hon'ble Minister in charge of the Co-operative Credit and Rural Indebtedness Department be pleased to state if any steps have been taken to frame rules for obtaining the consent in writing of the creditors to an amicable settlement?

(*b*) If the answer to (*a*) is in the negative, what are the reasons for the delay?

MINISTER in charge of the CO-OPERATIVE CREDIT and RURAL INDEBTEDNESS DEPARTMENT (the Hon'ble Mr. Mukunda Behary Mullick): (*a*) No.

(*b*) On further consideration Government decided that such a rule was unnecessary and would prove to be a hindrance rather than a help in the administration of Debt Settlement Boards.

Mr. DHIRENDRA NATH DATTA: Will the Hon'ble Minister be pleased to tell us how the rule that the consent of the creditors should be obtained in writing will be a hindrance rather than a help in the administration of the Debt Settlement Boards?

The Hon'ble Mr. MUKUNDA BEHARY MULLICK: This matter was enquired into and it appeared that even when the creditors and the officers of landlords who were present before the Board signified their consent, they refused to put down in writing their consent. Instructions have, therefore, been issued to see that the consent is taken in writing as far as possible.

Mr. DHIRENDRA NATH DATTA: Is the Hon'ble Minister aware of the fact that there is a complaint that the Debt Settlement Boards make a note that there is consent though, as a matter of fact, the parties do not give their consent?

The Hon'ble Mr. MUKUNDA BEHARY MULLICK: I am not aware of that.

Mr. DHIRENDRA NATH DATTA: In view of the complaint that I make, will the Hon'ble Minister be pleased to consider the desirability of making an enquiry?

The Hon'ble Mr. MUKUNDA BEHARY MULLICK: If the honourable member is good enough to give me a note in writing mentioning specific instances I shall be glad to make an enquiry.

Establishment of a College of Pharmacy in Bengal.

87. Mr. DHIRENDRA NARAYAN MUKHERJEE: (*a*) Will the Hon'ble Minister in charge of the Local Self-Government Department be pleased to state whether it is a fact that the Government of Bengal was offered a donation of two lakhs of rupees by one Dr. Anklesaria of Ahmedabad for the establishment of a College of Pharmacy in Bengal?

(*b*) If so, what has been done in the matter?

(*c*) Is it a fact that the Government appointed a Committee to consider the question?

(*d*) If so, has the Committee submitted its report?

(*e*) Will the Hon'ble Minister be pleased to lay on the table a copy of the report?

(*f*) Do the Government propose to accept the offer?

(*g*) If not, what are the reasons?

(*h*) Is it a fact that the donor has since approached the Bombay Government for accepting the offer for establishing an institution there?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: (*a*) Yes; but the offer has been made subject to certain conditions.

(*b*) and (*c*) Government constituted an expert Committee and referred to it certain matters connected with the proposal for the establishment of a College of Pharmacy.

(*d*) Yes.

(*e*) There is only one copy of the report which is very voluminous and the suggestions and recommendations contained in it are now being examined. In the circumstances I regret that it is not possible to lay a copy of the report on the table at this stage.

(*f*) and (*g*) No decision has yet been reached.

(*h*) I have no official information.

Special Officers recruited under the Agricultural Debtors Act, 1935.

88. Khan Bahadur Maulvi JALALUDDIN AHMAD: Will the Hon'ble Minister in charge of the Co-operative Credit and Rural Indebtedness Department be pleased to state—

(*a*) the number of Special Officers recruited under the Agricultural Debtors Act, 1935; and

(*b*) the number of them that belong to Chittagong?

The Hon'ble Mr. MUKUNDA BEHARY MULLICK: (*a*) 156 and (*b*) 10.

Statements, etc., regarding the price of jute and jute products, etc.

89. Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister in charge of the Publicity Department be pleased to lay on the table—

(*a*) the various statements, press-notes, communiqués, and announcements made by various Hon'ble Ministers, Departments of Government and officers during the years 1938-39 and 1939-40 regarding the price of jute and jute products, the "Fatka" Market, and regulation of jute crop and control of the Futures Market; and

(*b*) the prices of jute and hessian, and the quotations at the East India Jute Association during the week previous to each of the statements and press-notes and announcements referred to in (*a*)?

MINISTER in charge of the PUBLICITY DEPARTMENT (the Hon'ble Mr. A. K. Fazlul Huq): (*a*) A collection of press-notes, communiques, etc., issued through the Publicity Department is laid on the Library table.

(*b*) The information is not available in the Publicity Department.

Point of Order.

Mr. SANTOSH KUMAR BASU: Mr. Speaker, Sir. Before you take up the consideration of the next item in the budget, may I submit a point of order for your consideration and decision? You remember, Sir, that on the last day we met, certain motions for the reduction of the grant under "General Administration" were left over and were not taken up by you. So far as I remember, you put the main demand to vote, without putting the motions for the reduction of the grant

beginning from No. 6 on the Order Paper and going up to No. 27. Now, I understand that when you adjourned the meeting after putting the main demand to the vote the clock had not struck 7 p.m. yet, and the scheduled time up to which that meeting was to have continued under the Assembly (Governor's) Rules was 8 p.m., so that full one hour or more was still available to the House, and to you, Sir, for taking up the motions for reduction and for disposing of them one by one. In this connection I may remind you of the provisions of section 79, sub-section (*2*) of the Government of India Act, which makes it incumbent upon this Assembly to assent or to refuse to assent to any demand or to assent to a demand subject to a reduction of the amounts specified therein. There were as many as twenty-one motions for the reduction of the demand under "General Administration" to be disposed of, and I submit, Sir, that it was not open to the Chair to assume or take it for granted that the House would not assent to any reduction under any of these motions which had been tabled and which remained to be disposed of and were actually left undisposed of.

This House has got the indisputable power of assenting to a demand subject to a reduction of the grant which has been asked for by the Hon'ble Minister. Now, Sir, that opportunity was definitely denied to the House when you refused to take up all these cut motions and you adjourned the House fully one hour before the scheduled time.

Sir, in this connection I may also draw your attention to the Governor's Rules, particularly to rule 15, sub-rule (*ii*) which lays down, "of the days so allotted, not more than two days shall be taken up by the Assembly for the discussion of any one demand. As soon as the maximum limit of time for discussion is reached, the Speaker shall forthwith put every question necessary to dispose of the demand under discussion".

Now, Sir, so far as your action on the last day is concerned, before the maximum limit of time was reached, you disposed of the main demand without putting the other motions still waiting to be considered by the House to the vote of the House and without disposing of them at all as required by rule 15, sub-rule (*ii*).

I submit, Sir, that it was not open to the Chair to take up that position and what has been done is entirely *ultra vires*.

I also submit that any extraneous consideration or any circumstance which might or might not have been unusual could not be pleaded in justification of the steps taken by you, because there was fully one hour or more, as I have already submitted, to pay some attention to those questions which were then pending before the House, waiting to be moved and disposed of in the regular way as laid down under the Government of India Act and the relevant rule made by the Governor. You remember, Sir, that this question was raised at once on the floor

of the House and the members were prepared to move the respective motions for reduction which they had tabled. I remember that you suggested to the Leader of the Opposition that if he adopted a certain course of action you would be prepared to recall the main demand which had already been put to the vote and allow the motions for reduction to be moved and discussed and proceeded with.

I submit, Sir, that that question did not and could not possibly arise under the rules; and having regard to the time at your disposal, if you had reached the time-limit or anywhere near it, such a course might have been justified only on that ground, namely, shortness of time. But we had still, as I have already stated, one hour or more to reach the time-limit, and in spite of that, you did not consider it necessary to allow any cut motions to be moved, in clear contravention of the provisions of section 79(2) of the Government of India Act and rule 15(*ii*) made by the Governor. Under the circumstances, I would submit that it is incumbent upon the Chair to give the members who have tabled motions for reduction of the grant an opportunity of moving those motions; and it is incumbent upon the Chair to give this House an opportunity of pronouncing its opinion upon those motions. That having not been done, I submit that the proceedings will be entirely irregular and entirely illegal and I would ask you to take suitable steps so that this grave irregularity and illegality may be mended even at this stage.

Mr. SPEAKER: A point of order has been raised. Strictly speaking, under the rules nothing arising out of any previous matter can be raised at the beginning of the budget discussion. But I permitted Mr. Basu, in the special circumstances of the case, to raise this point of order. It is a very important question he has raised. I do not want to give a decision now as I want to give a written decision on the whole point because it affects the question of legality or otherwise of the voting of demand; in raising this question, he has pointed out certain rules. I was not aware that this point of order was going to be raised, otherwise I could have been ready. If it is possible for me to give the decision, I shall do so after the prayer interval; otherwise, I will give it to-morrow at 10-30 in the morning.

DEMANDS FOR GRANTS.

37—Education—Anglo-Indian and European.

The Hon'ble Mr. A. K. FAZLUL HUQ: Sir, on the recommendation of His Excellency the Governor, I beg to move that a sum of Rs. 11,40,800 be granted for expenditure under the head "37—Education—Anglo-Indian and European".

Mr. W. C. WORDSWORTH: Mr. Speaker, Sir, as we have nothing to attack Government on from this Group, we have not moved a cut motion, but I thank you and the House for giving me an opportunity of saying a few words about the work that is being done in a corner of the education field to which publicity is seldom drawn.

First, I would like to thank the Hon'ble Finance Minister who has given this Department of Education this time not only the statutory minimum that he has to give, but a little more. It is a good beginning on which we hope he will improve. Also, speaking on behalf of the Provincial Board of Anglo-Indian Education of which I am a member, I would thank the Hon'ble Chief Minister as Minister of Education both for his interest in the work and for his services as President of that Board. There are in the original list of motions three cut motions of which only one is being pressed. I thank those who have withdrawn them. I think all these motions are due to a misunderstanding about which I should like to say a few words.

The motion that is going to be moved in a few minutes refers to the favour shown to a community that is well-off—the Anglo-Indian and European community. I think, if the mover invites the four members of the Anglo-Indian community in this House to tea, he will in return for the cup of tea get some surprising and illuminating information about a very poor and struggling community. I think there are some members of this House who believe that this money goes to the children of the members of this Group. They should understand the nature of the community to which it goes.

Then again, I think there is a good deal of misunderstanding owing to the title of this Department—Anglo-Indian and European Education. It is a convenient title for a certain class of schools. But these schools do more than educate Anglo-Indian and European children. They have from their very beginning educated other classes also who have formed the habit of going to these schools,—Jews, Parsis, Armenians, Chinese; and very many Indians. It is specially on this account that I would ask the sympathy of the House and of the Indian community generally for these schools and the men and women who are working in them, because they are anxious for Indian sympathy, Indian understanding and Indian help. Of the pupils in many of these schools, 25 per cent. are Indians: they are welcome, they are regarded as a strength to the schools, they get on easily with the other boys and girls, and the schools certainly find no objection in this arrangement. I believe, one or two members of the community not directly connected with education do feel that a certain amount of money allotted entirely for the Anglo-Indian and European community is spent on other communities also.

But the schools themselves, those who are working in them, those who are responsible for them, find no difficulty in this arrangement. On the contrary, they find it admirable that the young people of the communities should be brought together in this way and they are very anxious that arrangements should be quite amicable. Arrangements between the young people themselves are amicable and they hope there will be more understanding and more communications between their elders. As I have said, I thank the Government for what it does and express the hope also that the sympathy of all members of the House and members of the Indian community generally will not be wanting to these schools and their workers.

Mr. NARENDRA NARAYAN CHAKRABARTY: Sir, I beg to move that the demand of Rs. 11,41,000 under the head "37—Education —Anglo-Indian and European" be reduced by Rs. 100.

মাননীয় সভাপতি মহাশয়, কংগ্রেসদলের সভ্যদের তরফ থেকে বলবার সময় যখন আমি য়্যাংলো-ইণ্ডিয়ান এবং য়ুরোপীয়ান সম্প্রদায়ের শিক্ষার বিষয়ে যে টাকা বরাদ্দ করা হোয়েছে তার বিরুদ্ধে সমালোচনা তুলবো, তখন একথা কারো মনে আশা বা ধারণা করা অন্যায় হবে যে, আমার এবং আমার দলের য়্যাংলো-ইণ্ডিয়ান বা য়ুরোপীয়ান সম্প্রদায়ের উপর কোনো রকম বিদ্বেষ আছে, বা তাদের শিক্ষার ব্যাপদেশে যে অর্থ অপব্যয় করা হোচ্ছে তার মূলগত নীতি সম্বন্ধে আপত্তি করা ছাড়া আমার অন্য কোন প্রকার আপত্তি আছে। এবং সঙ্গে সঙ্গে একথাও আমরা বোলতে চাই যে, য়ুরোপীয়ান সম্প্রদায়ের স্বার্থের কথা এই প্রস্তাবের সঙ্গে জড়িত থাকা সত্বেও য়্যাংলো-ইণ্ডিয়ান সম্প্রদায় সম্পর্কে আমরা একথা স্পষ্ট ক'রেই বলতে চাই যে, আমাদের কংগ্রেসে সংখ্যা লঘিষ্ঠদের উন্নতি করার জন্য যে বিশেষ ব্যবস্থার বিধান আছে সে সম্বন্ধে আমরা সজাগ আছি। এসব সত্বেও আমাদের যে আজ সমালোচনা কোরতে হচ্ছে বাধ্য হয়ে, তার একমাত্র কারণ এই যে, দেশের অন্যান্য সম্প্রদায়—এবং বিশেষ কোরে যে সম্প্রদায় অধিক কর জুগিয়ে এই গভর্ণমেণ্টকে পরিপুষ্ট কোরছে, সেই সম্প্রদায়ের শিক্ষার তুলনায় উক্ত সম্প্রদায় যে ভাবে বিশেষ সাহায্য প্রাপ্ত হোচ্ছে সে সম্বন্ধে কিছু না বোল্লে আমাদের কর্ত্তব্যের অবহেলা হবে।

গভর্ণমেণ্ট অফ ইণ্ডিয়া য়্যাক্টের ৮৩ (১) ধারায় স্পষ্ট কোরে উল্লেখ করা আছে যে, য়্যাংলো-ইণ্ডিয়ান সম্প্রদায় এবং য়ুরোপীয়ান সম্প্রদায়ের শিক্ষার বিশেষ ব্যবস্থা করবার জন্য কি পরিমাণ টাকা ব্যয় করা হবে; এবং তার সীমাও নির্দ্দিষ্ট আছে। অন্যান এপার লক্ষ ত্রিশ হাজার এক শত একুশ (১১,৩০,১২১ টাকা) য়্যাংলো-ইণ্ডিয়ান ও য়ুরোপীয়ানদের শিক্ষার জন্য খরচ করা যেতে পারে। কিন্তু আমরা বর্ত্তমানে দেখছি যে ১১,৪১,০০০ টাকা য়্যাংলো-ইণ্ডিয়ান ও য়ুরোপীয়ান সম্প্রদায়ের জন্য ব্যয় করবার বরাদ্দ হোয়েছে। এই ১১,৪১,০০০ টাকা একটা সম্প্রদায় বিশেষের জন্য,—যে দেশে শিক্ষিতের হার এত কম সেই দেশের একটা সম্প্রদায় বিশেষের শিক্ষার জন্য ব্যয় করার এই বরাদ্দটা খুব বেশী বোলে আমরা মনে

করি না। আমাদের বাংলা দেশের শিক্ষার দিকে যখন তাকাই তখন অন্যান্য স্বাধীন রাষ্ট্রের দূরের কথা এই ভারতবর্ষের অন্যান্য প্রদেশের সঙ্গে আমাদের বাংলা দেশের শিক্ষা ব্যবস্থার তুলনা কোরলে লজ্জায় নিজেদের অধোবদন হওয়া ছাড়া গত্যন্তর থাকে না। এ অবস্থাতেও যখন দেখি যে কেবল একটা বিশেষ সম্প্রদায় যে সম্প্রদায়ের প্রত্যেকটী লোক, প্রত্যেকটী সভ্য সকল ব্যাপারেই স্বাবলম্বী হোয়েও যখন সকল বিষয়েই অনুগৃহিত হোচ্ছে, এবং গভর্ণমেণ্টের সব কিছু বিভাগ হোতে আরম্ভ কোরে সওদাগরি, ব্যবসা-বাণিজ্য এবং অন্যান্য সকল ক্ষেত্রেই আইনের দ্বারা তাদের জন্য বিশেষ ব্যবস্থার বন্দোবস্ত সমানভাবে চোলে আসছে; তখন তার প্রতিবাদ না করা অন্যায় বোলেই আমরা মনে করি। আমাদের বিশ্বাস ছিলো যারা নাকি বড় গলায় বলেন "আমরা জনসাধারণের প্রতিনিধি, এবং জনসাধারণের নির্ব্বাচিত সভ্যদের মধ্য থেকেই নির্ব্বাচিত হোয়ে মন্ত্রী হোয়েছি, সেই মন্ত্রীদের দৃষ্টি নিশ্চয়ই এদিকে নিবদ্ধ হবে। যে সম্প্রদায়ের কোন অভাব নেই, যাদের সঙ্গতি যথেষ্ট আছে এবং যারা নাকি নিজেদের শিক্ষার সুব্যবস্থা করার জন্য কুণ্ঠিত নয়, তাদের ভাবনা না ভেবে অর্থাৎ তেলে মাথায় তেল না দিয়ে, আজ বাংলার যারা বাস্তবিক অর্থহীন, কোন সঙ্গতি না থাকার দরুণ যারা আজ অজ্ঞতা ও মূঢ়তায় আচ্ছন্ন হোয়ে রাজনীতি, অর্থনীতি ব্যবসা, বাণিজ্য সকল দিক দিয়েই নীচে পড়ে আছে এবং পাশাপাশি অন্যান্য প্রদেশের সঙ্গে তুলনা কোরলে যাদের অবস্থা অতিমাত্র শোচনীয় দেখায়:—বেশী দূরে যেতে হয় না, ব্রহ্মদেশের সঙ্গে তুলনা কোরলেই অতি সহজেই আমাদের পার্থক্য চোখে পড়ে। এ অবস্থায় যাঁরা নাকি এদেশের জন-সাধারণের নির্ব্বাচিত প্রতিনিধি বোলে নিজেদের মনে করেন তাঁরা তাঁদের সেই মূক নির্ব্বাচকমণ্ডলীর শিক্ষার দিকে দৃষ্টি না দিয়ে, কোন্ বিশেষ কারণে কোন্ স্বার্থের খাতিরে, কোন্ সুবিধার প্রলোভনে ন্যাংলো-ইণ্ডিয়ান্ এবং ইউরোপীয়ানের শিক্ষার জন্য যে বেশী টাকা ব্যয় কোরতে চাচ্ছেন তার কারণটা আমাদের অজ্ঞাত না থাকলেও শিক্ষা মন্ত্রী মহাশয়কে জিজ্ঞাসা কোরতে ইচ্ছা করে। তাঁর হয়তো চক্ষুলজ্জা নেই, কিন্তু বার বার কোরে ঘুরিয়ে ঘুরিয়ে যে কথাটা বলা হয় সে কথাটা আমাদের দেশের লোকের জানবার অধিকার আছে। আমরা প্রতিনিয়ত শুনতে পাই যে, অর্থের অভাবেই আমাদের কোন রকম শিক্ষাই, অবৈতনিক তো দূরের কথা, বেতন দিয়ে শিক্ষারও কোন ব্যবস্থাও এদেশে হোচ্ছে না। ইংরেজ এদেশে দুশো বছর বাস কোরছে, এদেশ এতকাল শাসন কোরেও দেশবাসীকে অশিক্ষিত রেখেছে—এতে তার স্বার্থ আছে। এদেশের লোক শিক্ষার আলোক যাতে না পায় তাতে ইংরেজের স্বার্থ আছে; সে জানে, ভারতবর্ষের সমস্ত লোক, বাংলার সমস্ত লোক যদি দুনিয়ার কোন সংবাদ না পায়, যদি তারা চিরকাল দুনিয়ার রাজনীতি, সমাজনীতি ও অর্থনীতির উত্থান-পতনের ইতিহাস থেকে বঞ্চিত থাকে তবেই যে ভেদনীতির উপর ভিত্তি করে ইংরেজ ভারত শাসন কোরে এসেছে সেটা আরো অনেক-দিন চোলবে। যদি দেশের লোক শিক্ষার আলোক লাভ কোরতো, তাহলে রাজনৈতিক আন্দোলনের প্রয়োজনীয়তা অনেকখানি কমে যেতো। ইংরেজ এদেশের রাজনৈতিক নেতৃবৃন্দকে বলে থাকে political agitator এবং একথা বলে একটু নাসা কুঞ্চিত করিতেও

কুণ্ঠা বোধ করে না ; সত্যিকার প্রয়োজনীয়তা না থাকা সত্বেও এদেশের লোক মিছামিছি ইংরেজের বিরুদ্ধে আন্দোলন করে থাকে, এই অভিযোগ আমরা বহুকাল ধরে শুনে আসছি। এদেশের প্রত্যেক লোকে যদি জান্‌তো দুনিয়ার সংবাদ, দুনিয়ার তথ্য, যদি তারা জান্‌তো যে ইংরেজ আমাদের দেশের অর্থে পরিপুষ্ট হোয়ে তাদের দেশের শিক্ষার কিরূপ সুব্যবস্থা কোরেছে, জার্ম্মাণী, ফ্রান্স ও আমেরিকায় শিক্ষার কি রকম সুবন্দোবস্ত, তাহলে তারা ক্ষেপে উঠ্‌তো, বিদ্রোহী হতো। আন্দোলন করে তাদের বিদ্রোহী হবার জন্য বল্‌তে হতো না। নিজেদের চাহিদায়, নিজেদের প্রয়োজনীয়তায় এদেশের লোক বিদ্রোহ করত। দেশের লোকের অজ্ঞতার সুযোগ পরিপূর্ণরূপে দুশো বছর ধোরে ইংরেজ নিয়েছে। আজ তার পরিবর্ত্তন হবে কাদের দ্বারা ? যারা নিজেরা মনে করে যে আমরা দেশের প্রতিনিধি সে পরিবর্ত্তন সাধন তারা ভিন্ন আর কে কোরবে ? কিন্তু আজ তিন বৎসর দেশের গভর্ণমেণ্ট চালিয়ে বর্ত্তমান মন্ত্রীমণ্ডলী শিক্ষার কি উন্নতিসাধন কোরেছেন ? (A MEMBER FROM THE COALITION PARTY : আপনারা গভর্ণমেণ্ট চালালে কি দেশের লোক সব রাতা-রাতি পণ্ডিত হোয়ে যেতো ?)—এসব তর্কের কথা নয়, নিবিষ্ট মনে চিন্তা করবার কথা। আমি জিজ্ঞাসা কোরছি মৌলবী ফজ্‌লুল হক সাহেবকে, মাননীয় প্রধান-মন্ত্রী ফজ্‌লুল হক সাহেবকে নয়। মন্ত্রী হবার আগে যে ফজ্‌লুল হক সাহেবকে জানি,—যাঁর হৃদয়ে দেশপ্রীতি ছিলো, জনসাধারণের কাজে যিনি অগ্রবর্ত্তী হোয়ে আস্‌তেন, তাঁকেই আমি জিজ্ঞাসা কোরছি, তিনি আজ বাংলার প্রাইম মিনিষ্টারের সমালোচনা করুন। মৌলবী ফজ্‌লুল হক কংগ্রেস প্রেসিডেণ্ট ছিলেন, করপোরেশনের মেয়র ছিলেন, হিন্দু-মুসলমান জনসাধারণের প্রতিনিধি ছিলেন, তাদের সুখদুঃখের সঙ্গে পরিচিত ছিলেন, এবং তাদের দুঃখ-দুর্দ্দশায় যাঁর কোমল হৃদয় কাঁদতো তিনি আজ মাননীয় প্রধান মন্ত্রী-ফজ্‌লুল হকের সামে দাঁড়িয়ে বলুন—"কি করেছো ? দেশের লোকের অগাধ বিশ্বাস নিয়ে তুমি কি করেছো ? জাতিগঠনের কি পরিকল্পনা কোরছো ? কি ফল দেখিয়েছো ? তিনটী বছর যে চোলে গেলো, জাতিগঠনের পর্য্যাপ্ত অবকাশ এর ভিতর ছিলো, কিন্তু কি করেছো তুমি ?" আমি শুধু মাননীয় প্রধান-মন্ত্রী ফজ্‌লুল হককেই জিজ্ঞাসা কোরছি, তার কারণ অন্য মন্ত্রীদের প্রশ্ন কোরে কোন লাভ নেই। কোন একটা কথা উঠলেই, মুসলমানের স্বার্থ, মুসলমানের অধিকার প্রভৃতির দোহাই দিয়ে উচ্ছ্বাসের বান ডাকিয়ে তোলা হয় ; কিন্তু মুস্লিমজগতে যে যুগান্তর ঘোটে গেছে, তুরস্কে যে revolutionটা সেদিন হোয়ে গেল, মুস্তাফা কামাল পাশা—

Mr. SPEAKER: Mr. Chakrabarty, we are not discussing Turkey, we are discussing Anglo-Indian and European education.

Mr. NARENDRA NARAYAN CHAKRABARTY: সভাপতি মহাশয়, আমি তুরস্কের শিক্ষার ব্যবস্থার সঙ্গে আমাদের ব্যবস্থার একটু তুলনা কোরে দেখাচ্ছি, দেখে আসুন সেখানে কি ব্যবস্থা হোয়েছে। এবং সে ব্যবস্থার সঙ্গে তুলনা কোরতে গেলে আমাদের আর লজ্জা রাখবার ঠাঁই থাক্‌বে না। তুরস্কের ইতিহাস

সম্বন্ধে যাঁরা কিছু খবর রাখেন, তাঁরাই জানেন যে সুলতান-শাসিত তুরস্কে বিদেশীদের উপর কোন বিষয়ে কোন রকম হাত দেবার কোন উপায় ছিলো না। তুর্কী গভর্ণমেণ্টের বিদেশীর কোন রকমের ব্যবসা বাণিজ্য বা পলিটিকাল বা সিভিল কোন অধিকার সম্বন্ধে কোন রকম আপত্তি উত্থাপন করার ক্ষমতা ছিলোনা। মুস্তফা কামাল পাশা পরিচালিত বিপ্লবী তুরস্কের প্রথম কাজ হলো Abolition of Capitulation অর্থাৎ সর্বপ্রকার বিশেষ অধিকারের নির্বাসন। কোন বিশেষ সম্প্রদায়ের, কোন জাতি বিশেষের বা ধর্ম বিশেষের কোন প্রকার বিশেষ অধিকার আর থাকবে না—রাষ্ট্রের কাছে সকলেই সমান। বিপ্লবী তুর্কীর এই হলো জগতের কাছে ও দেশবাসীর কাছে প্রথম ঘোষণা। আমি এখানে সেটা হবার উপায় নেই। Government of India Act এ হাত পা বেঁধে দিয়েছে। কিন্তু আমরা কি এই একদেশদর্শী আইনের প্রতিবাদও করতে পারি না? প্রাদেশিক গভর্ণমেণ্টের মুখপাত্র হিসাবে মাননীয় ফজলুল হক সাহেবের কি এর প্রতিবাদ করা উচিত নয়? একথা কি বলা উচিত নয় যে "আমরা মানবো না সে আইন, যে আইনে আমাদের ইচ্ছামত আমাদের দেশবাসীর উপকার করবার অধিকার নেই।" য়্যাংলো-ইণ্ডিয়ান ও য়ুরোপীয়ানদের সম্বন্ধে আমাদের বক্তব্য এই যে, তাঁরা এই দেশেই যখন রয়েছেনও থাকবেনও, তখন এই দেশের অধিবাসী বোলে তাঁরা দাবী করুন এর চেয়ে বেশী টাকা দিতেও আমাদের আপত্তি থাকবে না। কিন্তু আইনের বলে একটা বিশিষ্ট সম্প্রদায় হবার সুযোগ গ্রহণ কোরে যদি টাকার দাবী করা হয় তার বিরোধীতা আমরা কোরবোই—মাননীয় মিঃ ফজলুল হকও একথা অনায়াসেই বোলতে পারতেন। কিন্তু তা না কোরে তিনি সেই সম্প্রদায়ের জন্য আইন-নির্দিষ্ট পরিমাণির চাইতে আরো বেশী টাকা দেবার ব্যবস্থা কোরেছেন। তাঁর উপর যে অগাধ নির্ভরতা, যে বিপুল দায়িত্ব এবং বিশ্বাস সমগ্র জাতি অর্পণ কোরে রেখেছিল, তার মর্যাদা তিনি রক্ষা করতে পারেন নি; এবং অপরাধ কোরেছেন সমস্ত জাতির কাছে, তাঁর নিজের বিবেকের কাছে; এবং বিশ্বাসঘাতকতা কোরেছেন তাঁর সম্প্রদায়ের কাছে। অনেক সময় তিনি বলেন, আমরা তাঁর প্রতি ব্যক্তিগত আক্রমণ করি কেন? এটা ব্যক্তিগত আক্রমণ নয়। তিনি যদি প্রধান মন্ত্রীত্ব ছেড়ে দিয়ে আমাদের সঙ্গে এসে জনসাধারণের একজন হোয়ে দাঁড়ান, তাহলে তাঁকে আক্রমণ করার কোন প্রয়োজনই থাকবে না। আমাদের সঙ্গে তাঁর বৈষয়িক কোন বিরোধ নাই যে আমরা সেই জন্য তাঁর প্রতি ব্যক্তিগত আক্রমণ চালাবো? আমাদের আপত্তি এই জন্য যে, তিনি একজন জনসাধারণের প্রতিনিধি হোয়েও কতকগুলি অকাজের দায়িত্ব গ্রহণ কোরেছেন এবং এই যে একটা বিশেষ সম্প্রদায়ের বিশেষ স্বার্থ রক্ষার যে ব্যবস্থা তার যন্ত্র স্বরূপ, উপলক্ষ স্বরূপ কেন হোচ্ছেন? তাঁর উচিত এবিষয়ে অন্যান্য মন্ত্রীদের কেউ যদি কর্তব্যের কিছু অবহেলা করেন তবে তাকে শাসন করা; তা না কোরে প্রধান মন্ত্রী হিসাবে নয়, শিক্ষা-মন্ত্রী হিসাবে এই বৈষম্যমূলক ব্যবস্থার প্রবর্তক হয়েছেন তিনি নিজে। তাঁর প্রকৃত কর্তব্য আমাদের দেশের সকল লোককে শিক্ষিত কোরে তোলা। হিন্দু

মুসলমান সকলকে। তাদের শিক্ষার প্রতি, সেই অকমদের শিক্ষার প্রতি বিশেষ কোরে মনোযোগী আজ তাকেই হোতে হবে। তোমার দেশের মধ্যে যারা কঙ্কালসার, অজ্ঞাত, অধ্যাত, দুর্ব্বহ জীবন যাপন কোরছে তাদের দিকে তাকাও। তাঁর মনে একটা আবেগ আছে—সেই জন্য শুধু তাঁর উপরই ভরসা করা যায়। আর সব মন্ত্রীদের জানি—তাঁরা পুতুলমাত্র কিছু করবার ক্ষমতা নেই, একমাত্র তিনিই কিছু কোরতে পারেন। সেই জন্য তাঁর নামেই দোহারোপ করি। ঘুমের আবেশ ভেঙ্গে তাঁর মোহমুগ্ধ প্রকৃতিকে যদি জাগিয়ে দিতে পারি তাহলে আবার দেশের প্রতিনিধি হিসাবে জনসমাজেরই একজন হোয়ে কাজ করবার আকাঙ্খা তাঁর মনে নিশ্চয়ই আসবে। এবং সেই জন্যই আমি তাকে বারবার কোরে আমরা আঘাত করি, তাঁর দূরনিবদ্ধ পথভ্রষ্ট দৃষ্টিকে ফিরিয়ে আনতে, দেশের প্রতি, জাতির প্রতি, এবং সমগ্র জাতির যা কিছু অভাব ও দৈন্য তার প্রতি।

Mr. SPEAKER: The arrangement which we have agreed to is to close this debate within half an hour, i.e., by 6 o'clock, so that we can take up Education—General as early as possible after the recess.

Mr. J. W. CHIPPENDALE: Mr. Speaker, Sir, I desire to say a few words. I am sure my honourable friend of the Opposition would not have spoken like that, had he known the abject poverty of our community. The word "European" that is used in the Code does not mean Europeans who are not domiciled in India; they have their children in England and they are educated there. It means firstly Anglo-Indians, then domiciled Europeans who are a part and parcel of the country, Parsis, Jews, West Indians and lastly the Indians themselves.

Now, Sir, there is absolutely no racial discrimination of any kind. A right has been given to this community which is ill-educated and which cannot take advantage of present conditions without the aid of education. We only ask for education. We are absolutely poor, and without this aid it is impossible for us to receive any education, whatsoever. What do we ask? We ask for a simple thing, namely, that we be brought into line with the other communities of India. Take Bengal. Are Anglo-Indians on the same footing as the Muslims and Hindus? Do we occupy the foremost places in the life of Bengal? What is our condition? We are practically hewers of wood and drawers of water. What we want, Sir, is education, and we must have education until we come up to the level of the rest of the people of India and of Bengal. Some of the Indians say that too much money is spent on our education. Take the Government Colleges, take the Government Schools that are maintained chiefly for Indians. Surely, the money that is provided by Government for these institutions which is flooded with men of other communities is not

inconsiderable. If that be so, why should the Anglo-Indian community be deprived of their just share? Why should anybody begrudge us this little money that is given to us for our education—not as a luxury but as a necessity, and a right which every member of the community possesses to be educated up to the same level as others? Why should we not have some of the higher posts enjoyed by the Hindus and Muslims? Why should we be left in cold neglect? Why should not our rights as citizens be looked into, considered and granted?

Then, Sir, there is another matter which my honourable friend should take into consideration. Our schools are going from bad to worse. The Hindus are devoted to their own culture; similarly the Muslims to theirs. Why then should not the Christians also love their own culture? It is not a racial question, Sir. Race does not trouble us. (Babu NARENDRA NARAYAN CHAKRABARTY: Then why do you want separate schools?) Separate schools are a necessity with us. It is not from any racial point of view but from the point of view of religion and religious culture. Other communities think that their culture is most important, and they are ready to fight for it. Why then should we be blamed? We desire our own culture and we are also ready to fight for it if there be a need to do so.

As regards our schools, other important matters must be borne in mind. There are Indian children who clamour for admission in our schools.

Why do they do that? Why do they seek admission into our schools? Because our schools are run on good lines and, we treat them well. We have Indian teachers, and Indian gentlemen and ladies are also on our committees. We are not trying to put forward any racial discrimination or restriction, but we are trying to hold fast to something which we revere, namely, our own religion and culture. Now, Sir, it is not for people who speak about nation and nation-building schemes and such like activities to come forward and oppose a struggling community whose members ever feel that they are part and parcel of India, and are ever ready to work in honest co-operation with others for the uplift of India. I regret, Sir, that such a motion should have been brought forward, and brought forward suddenly without any notice whatsoever. It has come as a surprise just at the last moment.

The Hon'ble Mr. A. K. FAZLUL HUQ: Sir, the speech delivered by my friend Mr. Narendra Narayan Chakravarty is an excellent piece of impassioned oratory and eloquence, but unfortunately it contains arguments which are not based on actual facts. Sir, under section 83 of the Government of India Act there is a statutory obligation on the

Provincial Government to provide for European and Anglo-Indian education a sum which must be calculated on the principles laid down in section 83 of the Government of India Act. For the benefit of this House I will read only two paragraphs from that section in order to show that the Provincial Government in framing its budget has got no option in the matter. Section 83(*1*) runs as follows: "If in the last complete financial year before the commencement of this part of this Act a grant for the benefit of the Anglo-Indian and European communities or either of them was included in the grants made in any Province for education, then in each subsequent financial year, not being a year in which the Provincial Legislative Assembly otherwise resolve by a majority which includes at least three-fourths of the members of the Assembly, a grant shall be made for the benefit of the said community or communities not less in amount than the average of the grants made for its or their benefit in the ten financial years ending on the thirty-first day of March, 1933" that is to say, on the first of April, 1937, when this Act came into force in this province. In framing the budget we had to take an average of 10 years previous to 1933 of the grants made for European and Anglo-Indian education.

Then, Sir, there is a provision under section 83 (*2*) which states:

"The provisions of this section shall cease to have effect in a province if at any time the Provincial Legislative Assembly resolve by a majority which includes at least three-fourths of the members of the Assembly that those provisions shall cease to have effect."

Now, Sir, under the present conditions there is therefore no option left to us but to provide a sum which under the statute should be provided for European and Anglo-Indian education. It is the statutory obligation from which there is no escape. (Dr. NALINAKSHA SANYAL: The question is why you increased this?) I am coming to that. The statutory minimum for Anglo-Indian and European education on the basis of the principle laid down in section 83 will be Rs. 11,30,121. This relates not merely to 10 years' average but the total average education budget of Rs. 1,40,06,228. In the present budget the Anglo-Indian and European education budget is Rs. 11,54,000 which shows an increase of Rs. 23,616 over the statutory minimum while the total education budget is Rs. 1,73,91,000, an increase over the average figure of nearly 44 lakhs.

Let it be remembered that the limit imposed by the Government of India Act is a minimum but not the maximum. Now, Sir, I do feel that when so much is being spent on general education it is only fair that the European budget should show a corresponding increase. The House will realise that the increase which is shown in the European and Anglo-Indian budget does not bear a greater ratio to the budget of the European and Anglo-Indian education than the increase in the general budget shows to the budget for general education.

Now, Sir, at this stage may I point out to the House that the expression "European Education" is somewhat of a misnomer. European Education in Bengal would better be defined as education on European lines, and Government has realised this by permitting such schools to take up to 25 per cent. Indian pupils on their rolls and many Indians like to have their children educated in these schools. I may mention here that one of the sons of Mr. Nausher Ali, an ex-Minister, was a student in one of these European schools. I am making this statement to show how education imparted in these institutions is appreciated by Indians. (Dr. NALINAKSHA SANYAL: That only shows that sufficient European and Anglo-Indian students do not come up for admission in these schools.) May I point out to the House that the education imparted in these schools is not merely very much appreciated by the Indians, but there are very good grounds why this should be so. Europeans and Anglo-Indians who send their children to these schools pay a much higher rate of fees than the Indians pay for the education of their children in Indian schools. I do not see how it can be said that there has been an unnecessary favour shown to Europeans or Anglo-Indians in this budget. These schools demand better accommodation, more expensive staff and the fees raised by them as I have already said are very much higher than those in Indian schools. My friend has said that there is no reason why expensive schools should be given to these communities which in population are comparatively small. The only answer I can give is that they pay higher fees and very high taxes.

Now, Sir, these arguments apart, I would ask the House to consider if we can really waste any time over discussing why so much money has been provided for. As I have said there is a statutory minimum. The only thing that we have done is that we have given only Rs. 23,000 more to these two communities. This sum was put in the budget after careful examination of the needs put forward by the statutory committee supervising the European and the Anglo-Indian education. The total demand that had been made was for a much bigger sum and we have cut down that to this sum, although I felt on an examination of the question that some of their demands were totally justified. Sir, at the present moment on account of the outbreak of war the number of students receiving instruction in European and in Anglo-Indian Schools is much greater than it was previously, and this number is going up. The strength has gone up considerably and it is only a matter of fair justice to these institutions to give them this little increase of Rs. 23,000. Sir, I hope the House will realise that it is no case of undue favour. If the House is of opinion that this sum should not appear in the budget I will only say that we have got to follow the statutory procedure laid down under section 83 of the Government of India Act. So long as that position remains, the

Bengal Government have got to make a provision according to the provisions of the Act. With these words I oppose this motion.

The motion of Babu Narendra Narayan Chakrabarty that the demand of Rs. 11,40,800 under the head "37—Education—Anglo-Indian and European" be reduced by Rs. 100 was then put and lost.

The main demand of the Hon'ble Mr. A. K. Fazlul Huq that a sum of Rs. 11,40,800 be granted for expenditure under the head "37—Education—Anglo-Indian and European" was then put and agreed to.

37—Education—General.

The Hon'ble Mr. A. K. FAZLUL HUQ: Sir, on the recommendation of His Excellency the Governor I beg to move that a sum of Rs. 1,53,36,000 be granted for expenditure under the head "37—Education—General".

(The House was then adjourned for 20 minutes.)

(*After adjournment*)

Mr. SPEAKER: As regards the point of order raised by Mr. Santosh Kumar Basu I received the transcript only about two minutes ago. So it is not possible for me to give a ruling to-day. I shall give it to-morrow.

Rai HARENDRA NATH CHAUDHURI: Mr. Speaker, Sir, I beg to move that the demand of Rs. 1,53,36,000 made under the head "37—Education—General" be reduced by Rs. 100.

If there be one institutional organisation in Bengal catering to the highest human need, I mean the need of education, of which the people of Bengal, can well be proud, I think it is the system of secondary schools and particularly the high school system in Bengal. Sir, whatever our detractors, official and otherwise, may say, you will not find such a system of high schools or secondary schools in any part of India or outside that is run mainly on a voluntary basis. Even the richest and most resourceful countries in the world have not been able to produce such a system of high school education so little aided from the public Exchequer or by local rates.

Sir, the point of distinction of the Bengal Secondary School System was clearly brought out by the Hartog Committee Report in 1928. There we shall find it stated that the Bengal system had a very meagre aid from the Government. Let me refer to the figures that will make the point sufficiently clear. The following table, Sir, can

be gathered from the Hartog Report about the percentage of contribution by sources to direct expenditure on secondary schools for boys by provinces:—

Province.	Government Funds. 1927.	Local Board Funds. 1927.	Fees. 1927.	Other sources. 1927.
Madras	23·4	8·1	52·2	16·3
Bombay	29·1	3·3	50·0	17·6
United Provinces	51·3	7·4	28·8	12·5
Punjab	45·6	13·2	31·7	9·5
Bihar and Orissa	27·2	15·2	46·3	11·3
Central Provinces	48·4	18·5	26·2	6·9
Assam	46·2	9·4	37·7	6·7

But what about Bengal? In Bengal Government funds contributed 16·2 per cent., Local Board Funds—3·2 per cent., Fees—63·9 per cent. and other sources—16·7 per cent. The position therefore had been summed up in the following way by Auxiliary Committee of the Simon Commission:—

"The proportion contributed by Government funds has increased in every province and in two, Madras and the Punjab, it has more than doubled in the last ten years. In the latter province this is due very largely to the policy of establishing Government High Schools in backward areas. In the United Provinces and Assam, about half the total cost of secondary education is now met from Government funds. On the other hand, fees, in Bengal, bear almost two-thirds of the costs; in Madras and Bombay, half; in the United Provinces, Burma and the Central Provinces, only a little over a fourth"——. "Fees meet 63·9 per cent. of the total cost in Bengal and only 26·2 per cent. in the Central Provinces".

Now, Sir, it will be apparent that the Bengal system of secondary schools was run mainly on a voluntary basis and that the largest part of the bill of expenditure in connection with secondary education here was footed by the people themselves; the Government contribution was only the insignificant percentage of 16·2—the lowest figure of contribution from Government funds in the whole of India—and 3·2 from the Local Board funds in 1927. That was the finding of the Hartog Committee. Since then, how far have matters progressed so far as financing Secondary Education in Bengal is concerned? Sir, Government contribution to Secondary Education in Bengal has dwindled more and more in course of time, in spite of the fact that the revenue receipts of the Government have increased in the meantime. Sir, permit me to point out the figures relating to the decade between

1926-27 and 1936-37. I am quoting from the Ninth Quinquennial Review of the Progress of Education in Bengal by Mr. A. K. Chanda, I.E.S. Here we find that in 1936-37, that is a decade after the report of the Hartog Committee, the Government of Bengal had nothing better to show so far as their contribution to Secondary Education was concerned, rather they did worse. In 1936-37 the total expenditure on boys' secondary schools in the province was Rs. 1,38,47,606. Of that sum only 15·8 per cent., not even 19·4 per cent. as was found by the Hartog Committee, was contributed by the Government and the local bodies, that is by the national Exchequer and the local funds together as against 71·8 per cent. contributed by fees and 12·4 per cent. contributed from other sources. Then again, Sir, in the first year of the present Reforms under the regime of the Hon'ble Mr. A. K. Fazlul Huq, Government contribution has progressed in the same *i.e.*, opposite way. In the Report on Public Instruction in Bengal for the year 1937-38, that is the first year of the Hon'ble Mr. A. K. Fazlul Huq's administration, you will find the following account:—

"The total cost of maintaining secondary schools for Indian boys rose from Rs. 1,38,47,606 to Rs. 1,43,79,835, i.e., by about 5·32 lakhs. Of the total expenditure, Rs. 22,07,246 or 15·3 per cent. was borne by public funds and Rs. 1,21,72,589 or 84·7 per cent. by private sources. We thus find that the Secondary Education system in Bengal is receiving less and less support from the Government. Then, Sir, so far as the present year's budget is concerned, what do we find? Government propose to spend in 1940-41 Rs. 1,22,000 less than in the previous year in the matter of grants-in-aid to non-Government Secondary schools—Rs. 45,000 less so far as non-Government schools for boys are concerned and Rs. 77,000 less so far as non-Government schools for girls are concerned. This is the present Bengal budget. Surely, Sir, we cannot feel optimistic in the present circumstances. We find that Government is withdrawing substantially in the next year what little extra aid it was prepared to give even in the current year. The Secondary schools are not going to have additional aid even in proportion to their progress in expenditure. When we not only find that the number of secondary schools is growing but the number of pupils reading in the secondary schools is also growing more and more, larger and larger burden is going to be cast on the shoulders of the poverty-stricken people of Bengal.

Sir, we hear many things in reproach of the secondary schools and particularly privately-managed schools of the province, especially from our foreign experts. They always allege that our secondary system is inefficient and so on and so forth. But, Sir, can efficiency be purchased without money? Let Hon'ble Mr. Fazlul Huq answer the point. The other day in course of the Education Week an official expert said that to make the secondary schools perfectly efficient in

Bengal you have got to impose a secondary education cess. He clean forgot that his chief was at his wit's end to find three to four crores of rupees from the Primary Education Cess for making primary education universal and compulsory in Bengal and quite oblivious of that point he said that there should be a secondary education cess in Bengal so utterly out of touch is he with the realities of the situation in the province. Sir, even in England where the secondary education system is helped by local rates, the national Exchequer always tries to help the secondary education system even by contributing as much as 50 per cent. of the expenditure. Permit me, Sir, to quote from Mr. Bolton King's "Schools of To-day", where he gives us an idea as to how secondary education is financed in England. Mr. King says, "We must have a clear view of the existing system in England. The cost of education as of other social service is shared between the national Exchequer and the rates of a particular district. The local authority fixes the expenditure in its area subject to the Board of Education's controlling power and claims back a certain definite percentage from the Board for higher education This percentage was fixed by the Act of 1902 at 50 exclusive of the residue (Whisky Money) grant which was appropriated for the purpose as early as 1890. But in addition the Board pays a considerable sum in direct grant to many secondary schools and this in practice goes to the relief of the local rates." But our official expert here, like the doctor in Gil Blass, knows only one remedy for all our ills, viz., hot water and bleeding, that is, cesses and cesses, not knowing how far such cesses can be realised from poverty-stricken Bengal. No, Sir, Government must find sufficient money from the provincial Exchequer if our secondary system is to expand and be efficient as our critics demand.

Now, if we turn to the question of the administration of the grants-in-aid, we see stranger things happening. In a country where not even half the secondary schools are aided and the amount of aid may well be said to be a pittance, for it is admitted in the latest quinquennial report that only 540 high schools out of 1,180 were enjoying aid in 1937 at an average rate of less than Rs. 130 per month——

(At this stage the honourable member reached his time-limit.)

Sir, may I have five minutes more?

Mr. SPEAKER: I am sorry I cannot give you 5 minutes but you may conclude your speech.

Rai HARENDRA NATH CHAUDHURI: Sir, the aid is now dependent on the pleasure not even of the Education Department but of the District Magistrate. That system of distribution should go. Grants-in-aid should be given in accordance with certain definite and

fixed principles. It should not degenerate into an instrument of officialising the management of schools or means for promoting communal ends.

Dr. SYAMAPRASAD MOOKERJEE: Mr. Speaker, Sir, the amendment moved by Rai Harendra Nath Chaudhuri relates specially to the inadequacy of grants to non-Government secondary schools and the administration of such grants. Sir, it is very difficult to characterise any particular part of the educational system as more important than the rest. The primary system, the secondary system, and also the higher system of education must receive equal assistance from the Government and the people, if national improvement is to be achieved. But from one point of view, Sir, we would lay special stress on the secondary system of education, particularly in a province like Bengal, because if the secondary system of education is conducted on efficient and appropriate lines, you not only help to bring forth a class of well-equipped teachers who will be able to devote their lives to the cause of the development of primary education but will also be able to supply the adequate standard for the purpose of carrying on your university education in the right and proper spirit. From that point of view, Sir, the future of secondary education in this province is a matter which will certainly be considered with care and anxiety by all well-wishers of Bengal.

Sir, I do not propose to repeat the arguments and the figures which have been so carefully marshalled by the mover of this amendment. It is indeed a sad fact that the amount of money which is now being spent on secondary education in the province is hardly adequate for the needs of this great department. Sir, I was just calculating the figures and it was interesting to find that while before the advent of the present Government the total expenditure on education came up to something like 11·27 per cent., now although several lakhs of rupees more are being spent on education, the total percentage comes up to 11·15 in relation to the total expenditure of the Governmental budget. Of course we know, Sir, that there are demands made on the revenues of the State from all departments but education we would certainly place as perhaps the most important for the purpose of progressive development of the people of Bengal.

Sir, one difficulty which has been discussed on the floor of this House year in and year out is the disproportionate amount of money which is being spent for the maintenance of a handful of Government schools as against what is being spent as grants-in-aid for a large number of private institutions. Nearly 15 lakhs of rupees (Rai HARENDRA NATH CHAUDHURI: More than 15 lakhs of rupees), a little more than 15 lakhs of rupees are spent for 45 high schools in Bengal where only 13,600 boys and girls are reading while, Sir, we are spending almost the same amount, about 15 lakhs of rupees for 557 aided

schools where there are about 150,000 boys and girls reading. This excludes about 1,000 schools which do not receive any aid whatsoever from the State.

Now, Sir, this question of deprovincialisation, which I do not want to raise in detail in connection with this amendment, does come up before our eyes. If there is no money available to the Government, Government must consider the question of utilising this sum of 15 lakhs of rupees for the benefit of a larger number of boys and girls of Bengal rather than spending all of them for the benefit of 45 high schools which are not necessarily superior to many unaided or aided private institutions in this province.

Sir, with regard to the question of administration, a point which the mover could not properly develop, there are certain important aspects of the question which I would like to place before the Government and the House.

There are certain rules for the administration of the grants-in-aid. Now, Sir, these rules in many cases are out of date, and it is a matter of genuine regret that although nearly five years ago an attempt was made by the Education Department and the University to revise these rules in a manner which would be acceptable to educational institutions and the public at large, nothing has come out of it as yet. Mr. Wordsworth may remember that he and I sat on that Committee for days and days together along with representatives of Government and we prepared a consolidated set of rules which we thought would best serve the interests of education. But unfortunately things go on as they were going on six years ago, and we do not know where those rules have gone, whether they have been eaten by white ants or whether they have been thrown into the Mother Ganges. No definite information is available before us.

Now, Sir, the present rules unfortunately have some aspects which I do consider are extremely inimical to the best interests of education. I would start first of all with the powers that have been given to the District Magistrates. They are esteemable gentlemen, who have their special duties no doubt in the administration of this province, but I see no reason why the powers which were given to the District Magistrates during a period of great political stress in this province should be preserved intact and should not be redelegated to persons who claim to have education, experience and judgment. What do we find with regard to the manner in which these powers are being exercised? The schools have managing committees. The managing committees are elected according to the constitution which has been framed by the University. The Government rule is that if a school is to receive a grant-in-aid, the managing committee must have the approval of the District Magistrate. And, Sir, there have been cases where election of members has been set aside by District Magistrates on grounds which can never be justified.....(Rai HARENDRA NATH CHAUDHURI: On no

grounds at all)... ...yes, on no grounds in many cases. This is a question which we brought to the notice of the Hon'ble the Chief Minister during the last education budget debate and, so far as I remember, he gave an assurance that he would look into the matter and see that the rules are properly re-examined. So far as I am aware, nothing has happened during the last one year with regard to this matter. What is happening, Sir? Perhaps a member of a particular community is not in the good books of somebody who is a high official in a particular district or subdivision. There may be, Sir, political differences, there may be communal reasons or private reasons,—the Magistrate gives order, his election is set aside. You may ask, what does it matter—the school may well go on? But that does not happen. If the election is set aside, the Magistrate's order is—if you do not carry out the directions the grant-in-aid will be stopped. The result is that independence and rightful claim of these members of the managing committees are very rudely disturbed. My honourable friend, the mover, has correctly described it as a clear attempt on the part of Government to officialise the educational institutions in a manner which cannot be tolerated.

Sir, then there is the question of the circulars which are issued by the Inspectors of Schools. You will not find these provisions in the Education Department rules, but the Inspectors of Schools issue circulars from time to time, with regard to many questions which do not form a part of the Education Grant Rules at all.

Now, here, Sir, the question which has agitated the public mind considerably has been with regard to the selection of teachers. Now, what is the position? If there is a private school which is managing its own affairs out of its own fees, the school is educationally considered to be fit and proper to receive State aid. State aid is granted. There is no condition attached to such a State aid in accordance with the departmental rules. But from time to time as the school is inspected by the Inspector or in connection with private discussions, suggestions are thrown out that if teacher "A" is not removed or if a teacher belonging to a particular community is not appointed, the grant will be stopped. I have got, Sir, evidence in my possession to show that in this way threats have been held out by the Inspectors to many Schools in the province. When I have confronted and spoken to the officers of the Education Department, I have received the reply that it is not done under Government orders. Why should the Inspectors of Schools be encouraged if it is not in accordance with Government rule? The point I would emphasise is that with regard to the selection of teachers there should be no pressure brought on the authorities of any educational institutions and they should be left absolutely free to select the best teachers available. The only occasion on which the Education Department may rightfully interfere is where the Inspector of Schools is satisfied that a teacher who is not qualified or properly qualified has

been appointed. It is only then that the Inspector of Schools can say: "Well, you have appointed a teacher who is not qualified; therefore your grant-in-aid will be stopped." Where on earth in any part of the world have you heard that the grant which is proposed to a school has been stopped because teachers according to the liking of a particular Inspector of Schools are not appointed by school committees? (Dr. NALINAKSHA SANYAL: Sanctioned grants are withheld.)—Yes. With regard to a particular school whose case is pending before the Chief Minister who, I hope, will give his personal attention to this case —I do not mention the name of this school for obvious reasons—with regard to that school what has happened? This has nothing to do with the communal question. The Headmaster of that school—it is a private institution and not a Government institution—at a meeting, not in the school but outside the school, had hoisted the national flag. Now, Sir, the national flag, the Congress flag, has not been banned and hoisting of such a flag has not been banned in this province. As a private citizen he did it on the 26th January or some such date. But the Inspector of Schools has written to the Headmaster and the Managing Committee that because the Headmaster has done this, the grant of this school should be stopped. I know, Sir, the Chief Minister or any responsible Minister could not have inspired such a request coming from any Inspector of Schools. But in that case a representation has been made to the Chief Minister, and I hope the Chief Minister will look into this case and see that orders are passed in such a way which will not interfere with the legitimate rights of educational institutions.

(At this stage the member having reached the time-limit resumed his seat.)

Mr. W. C. WORDSWORTH: Mr. Speaker, Sir, I should like to say a few words. I spent many more than 20 years in the instruction of attractive youth before I was set to the task of trying to instruct less attractive adults. In those 20 years I never discovered whether I was an educator or an educationist or an educationalist. But I did learn a lot about education in Bengal and elsewhere, and I have always had a very high opinion of the small community in Bengal that has taken on its shoulders the tremendous task of building up a secondary school structure for itself. I know nothing like it from my own experience or from what I have read about; and while I have no intention of supporting the honourable member in any suggestion that the present Government is to blame for the situation in Bengal, I agree with him entirely that if we could do something to give larger grants to our secondary schools we should be making a very large contribution to the social health of this province. (Cries of "Hear, hear" from Congress benches.) Sir, I am not speaking only of the welfare of the schools; anything we can do to improve the schools or those who are in command of this part of this national and provincial work would be

fine public service. It is a ridiculous situation that when we have a thousand or more schools doing the same kind of work, most of them in equal need, we can find sustenance only to give grants to a few hundreds.

I have often thought that as all these schools generally need grants, it would be a magnificent thing if we could work out a scheme of grants-in-aid whereby on an average every high school in the province could get Rs. 2,000 or Rs. 2,500 a year towards its general expenses. I say "on an average" for many have no need of grants. And I would say one other thing I am not making any proposal here. I am only speaking in hypothesis on contingency, because I know how heavily even the small fees that are paid in these schools press upon the majority of parents. I have vivid memories of the impressions which I have from time to time received how the quality of the schools would be raised if any increase of fees were possible. I repeat that I speak hypothetically: I have myself memories of the indignation with which I have from time to time received notice of increase of fees in the public schools in England where I had my own boys and girls. I may put it this way: that if by any improvement in the economic condition of the province, school fees in high schools could be increased by, say, 8 annas a month, that would give the high schools about another 20 lakhs a year between them; this would lift them from one standard of excellence to a much higher standard. I would add that while I am as sensible as any one of the importance of doing what we can to give to this province a good system of primary education, I feel it no less important that we should do everything we can, now or at any time, to improve the standard of our secondary schools.

Kazi EMDADUL HAQUE: Sir, I rise——

Mr. SPEAKER: I want you to be very brief because there are two other motions.

Kazi EMDADUL HAQUE: Yes, Sir, I shall be very brief as you desire.

I rise to give my whole-hearted support to the cut motion which has been so ably moved by my esteemed friend Rai Harendranath Chaudhuri and which has been supported by no less a person than Dr. Syamaprosad Mookerjee. They have raised some important points and have discussed them in detail. But I shall not traverse the ground which they have trodden on. I am in general agreement with what they have said, but I have certain observations to make regarding female education. To my mind, it appears that the sum which has been allotted to the male education should be much larger than the amount set apart as it is not commensurate with our needs. If the necessary money is not otherwise available, it should be made

available even by cutting down the allotment under the head "Female Education". We have had enough of female education and it has now reached a stage when we shall cry a halt. We should have no more of the sort of female education that is now being given in our schools and colleges. It is only making our females wayward and is leading them precipitately to the depth of moral degradation. The education that is imparted to females in these educational institutions is not the kind of education which was sought to be given by the Hindus and Muslims in old days. Female education must be given on the lines which gain support from the cultural traditions of the Hindus and Muslims. Now, Sir, when we look at the visitors' gallery, we find how the salutary laws and principles of Hindus and Muslims have been infringed by the ladies. The flutter of their aprons and the absence of their veils make us hang down our head in shame.

Dr. NALINAKSHA SANYAL: Do you look at the visitors' gallery? We don't

Kazi EMDADUL HAQUE: You must be a curious man then! This is a marked departure no doubt from the salutary principles and practices which used to be observed both by the Hindu and Muhammadan girls of yore. Not only in this respect but in every sphere of action, there has been a departure in the life of the females. They are divinely intended for domestic purposes, to be the helpers of their male consorts. By their temperament and constitution they cannot be equal to the males. So instead of trying to usurp the rights of males, they should confine their activity within their legitimate province. The males should be the administrators in the outside world and the females should be the administrators inside the home, each being supreme in their own sphere, thus making our homes nobler, sweeter and happier beyond measure.

Mr. SPEAKER: I want you to talk about general administration.

Kazi EMDADUL HAQUE: But I cannot do it without sounding a note of warning to the misguided females to whom the governance of the internal affairs of the house belongs and on whom depends the happiness of a domestic life. But they have shunned this path and are disturbing the peace and tranquillity of social life by claiming equal rights with males in every respect. Nay they want to oust the males from every field of activity. They want to take office, they want to enter the bar and they want to lord over males. There is no wonder that some day they may come and say "You males go to the kitchen and look after the babies". If these excesses are not curbed

now, surely that is the lot that is awaiting us. The system of instruction that is productive of such evils is not intended to be imparted to the females of our country by our culture, Hindu and Muslim. So, I think that henceforward more money should be spent on male education than on female education. If a system of female education is evolved of the kind to which we cannot have any objection, then of course money may be made available for that purpose: otherwise there should be a halt here.

The Hon'ble Mr. A. K. FAZLUL HUQ: Sir, my friends in Opposition have not made any violent speeches in criticism of the Government policy, although they have generally complained about the inadequacy of the grants to non-Government secondary schools, and also regarding the operation of the grant-in-aid rules. Now, Sir, I will repay the compliment and try to be as conciliatory as possible. (Dr. SHYAMAPROSAD MOOKERJEE: Why "try"? Be conciliatory.) I admit that the grant by Government to non-Government schools is about the lowest of any province in India. It is a state of things of which we cannot be proud, and I share with my friends the great disappointment which we all feel that we have not been able to provide more money for the needs of non-Government schools But, it is not quite correct to say that there has been a downward tendency so far as the grants to non-Government schools are concerned. Now, Sir, I will give the House a few figures which will show that my friend Rai Harendra Nath Chaudhuri has been guilty of a slight inaccuracy —more or less arithmetical—when he worked out his averages.

Rai HARENDRA NATH CHAUDHURI: It is not my average but your report's average.

The Hon'ble Mr. A. K. FAZLUL HUQ: Whoever may be the author.

In 1936-37 the Government grants to secondary schools for boys and girls were Rs. 14,16,000 and odd. Then it rose gradually. In our estimate for 1940-41 it is Rs. 15,26,000.' Therefore the increase here is something like near about 8 per cent., that is to say, an increase of Rs. 1,10,000 over Rs. 14,16,000. In the case of direct grant to non-Government secondary schools the figure was in 1936-37, Rs. 12,62,000. In 1937-38 it rose to Rs. 13,77,000. In 1938-39 we provided for Rs. 15,86,000. In 1939-40 it rose to Rs. 18,92,000 and in the budget this year it is near about 18 lakhs. Now, if we work out an average we find that the increase during these years has been by about 40 per cent. Now the reason why the proportionate average is not high is the fact that the number of schools has gone on increasing at a very rapid rate. Whereas formerly a little over 400 schools

used to get grants, the number at the present moment according to the figure given by my friend is something near about 540. So the grants to these schools have not kept pace with the increase in the number of schools. (Rai HARENDRA NATH CHAUDHURI: That is our point.) That I admit. It is a point which requires careful consideration. I can assure my friend that I am extremely obliged to him for the well-informed speech which he has delivered and which we will take into consideration in deciding all these points.

Now, Sir, my friend Dr. Mookerjee has referred to deprovincialisation. The question of deprovincialisation bristles with many difficulties. It is found on actual consideration that we do not give the province a very large amount of money, but we are prepared, as I said at a meeting of the Council the other day, to consider the question and to come to some decision if a beginning cannot be made in one or two schools.

Now, Sir, as regards the grants-in-aid to schools, I do not quite admit that inspectors make it a part of their duty to hold out political threats unless their demands are not met. It may be that there are one or two over-zealous officers who think that threats of that kind may have some salutary effect in introducing something like discipline where discipline does not otherwise exist. But I do not approve of any threats of that kind. And we have already agreed, as perhaps my friend is aware, to a conference of representatives of the University and the Government, and I can assure the House that Government will decide about any modification, if necessary, on the receipt of the report of this conference, of the rules relating to grants-in-aid to schools. And if individual instances are brought to the notice of the department or to my notice, I can assure the House that we will look into all these cases and see that grants to schools are properly given. My friend Dr. Mookerjee with his eloquence was asking if there was any part of the world where political threats would be held out for grants-in-aid to schools. I would only reply by a counter-question whether there is any part in the world where conditions are similar to those in India. Where in this World do we find communities quarrelling when they should better utilise the opportunities in moulding the destinies of the people of their own motherland? Now, I have got nothing very much to say. We are faced with a very difficult situation, viz., a rather non-expanding budget with which to meet the expanding needs of administration and particularly of education of a highly advanced province like Bengal. Sir, I would expect not merely criticisms but help, co-operation and sympathy. I hope my friends will give me all that in abundant measure and during the few years that may be left to us in moulding the educational policy of Bengal, I expect that I would receive from all sections of the House criticisms sobered with co-operation and

sympathy, and, if I may be permitted to say so, all the help and assistance that can be given to me to administer such an important department as the department of education in Bengal.

Sir, I, with great regret, have to oppose the motion because I cannot accept it.

The motion of Rai Harendra Nath Chaudhuri that the demand of Rs. 1,53,36,000 under the head "37—Education—General" be reduced by Rs. 100 was then put and lost.

Mr. SPEAKER: I have about 40 minutes more. It has been suggested that the Primary Education is the next item and Nos. 5, 6, 7, 14, 15, 17 and 19 all refer to Primary Education. Probably it will be better if we take them to-morrow. The members of the Scheduled Castes are very anxious to get an opportunity to speak. So, I would take up 8-11 which will govern numbers 12, 13 and 16; which are practically on the same lines. It will be helpful to the House if the points about the Scheduled Caste Education are discussed together.

Mr. MONMOHAN DAS: Sir, I beg to move that the demand of Rs. 1,53,36,000 under the head "37—Education—General" be reduced by Rs. 100.

Mr. SPEAKER: I would advise Mr Das to move this motion to discuss the Scheduled Castes education which may embrace other questions, so that others may get an opportunity to speak instead of confining themselves merely to the grant of Rs. 5 lakhs. That would probably be better.

Mr. MONOMOHAN DAS: All right, Sir. May I know what is the time at my disposal?

Mr. SPEAKER: 15 minutes.

Mr. MONOMOHAN DAS: Sir, on previous occasions I had the opportunity of discussing the dire necessity of an annual recurring grant of Rs. 5 lakhs for the education of the Scheduled Castes. Sir, this year at the outset, before going into the details, I would invite my honourable friends of all sections of the House to forget for a moment the question of their party politics and to consider seriously the condition of the Scheduled Castes of Bengal. I hope that my friends of all sections of the House will agree with me that the demand made to-day is just and proper. Sir, in order to judge the necessity of the demand which I have made to-day, I would request my friends to consider and to turn their minds to the condition of the Scheduled Castes—how poorly and how wretchedly they pass their days and how

illiterate they are. The Scheduled Castes of Bengal comprise about 18 per cent. of the total population of the country; but so far as education is concerned, their percentage is practically nil.

Now, I beg to submit that so far as the question of the social, religious and economic conditions of the Scheduled Castes people is concerned, one cannot but feel very sad, and when one considers how inhumanly they are treated in the country, one cannot but burst into tears. They are deprived of their social and religious rights by their so-called Hindu brethren and economically they are the poorest of the poor. Sir, I am speaking from my own experience. In many villages, they live from hand to mouth; in many villages they are so poor that they have to live in small cottages without roof and they have no smile in their faces. That is the condition of the Scheduled Castes people so far as their economic position is concerned. That being the position, we thought it proper to better the social, political and economic condition of the Scheduled Castes and the first attempt to improve their condition was made in the year 1938-39 with a demand of recurring grant of Rs. 5 lakhs. The Hon'ble the Chief Minister was then good enough to accept my cut motion and also promised to supplement the sum by providing more money in case of necessity. I regret to submit that although he at first proved his best intention by providing Rs. 5 lakhs in the supplementary budget, his subsequent change of attitude has made us absolutely hopeless. On the 24th February last, during the budget discussion, the Hon'ble the Chief Minister made his position quite clear in the House when he said that he had done much for the education of the Scheduled Castes and he also made it clear that a Committee of Education with members from the Scheduled Castes had been appointed for the purpose in view and a Special Officer had also been appointed for the purpose. It was also stated that the Special Officer and the members of the Education Committee were wholly responsible for the spending of the amount. The other day, my friend, Mr. Birat Chandra Mandal, passed the *caustic* remark that although the Education Committee prepared schemes for the purpose of spending the amount, when the schemes were sent to the Finance Department, it was due to the ex-Finance Minister, Mr. Nalini Ranjan Sarker, the sum could not be spent. I cannot but submit that we are very anxious to hear from Mr. Sarker, the ex-Finance Minister, as to why he stood in the way of the best interests of the Scheduled Castes and why the schemes were not given effect to. Apart from the remark of Mr. Birat Chandra Mandal, I should like to say that the majority of the members of the Education Committee and also the Special Officer who act according to the whims and caprices of the present Cabinet are absolutely responsible for not spending the money and allowing it to hang from year to year.

Sir, in this connection, I would refer to page 149 of the Red Book. There we find that the money was budgeted in the year 1938-39 and

out of Rs. 5 lakhs, only Rs. 22,000 was spent in that year. From the Budget of 1939-40, we find that Rs. 3,02,745 was budgeted in that year and in the Revised Estimate of that year, we find the amount reduced to Rs. 1,92,872. And this year in the budget estimate of 1940-41, it has been shown that there are still Rs. 2,85,465. So far as I can see, this year's budget is a mere show; it is a mere eye-wash for, I am sure, next year we will find that this sum is still hanging on and not fully spent.

Sir, I wish to speak on another point. The Hon'ble the Chief Minister stated in the House that a Special Officer had been appointed for the purpose. I may say that the Special Officer is nothing but a mere cypher in the hands of the present Government; the Special Officer is there only to support the voice of the present Government and he is only anxious for the continuation of his own service. He is practically doing nothing. He perhaps thinks that if the whole grant is spent up, his service will be gone. The Special Officer was really appointed to help us by formulating a comprehensive plan for the betterment of the education of the Scheduled Castes people of this Province as a whole, but he has practically done nothing. He has not even prepared a scheme for the betterment of the condition of the most backward Scheduled Castes people of some districts, giving weightage to them. He has proved himself a mere figurehead, a mere painted statue and nothing more.

If my friends will look at the budget, they will find that thousands and lakhs of rupees have been allotted for the construction of big structures, for the construction of permanent hostels, but nothing in the form of stipends and scholarships. It is said that a temple has got no beauty or is of no utility without the image in it. We want the building up of students and not the building up of mere big permanent hostels which will not go to benefit the Scheduled Castes as a whole.

Sir, I beg to submit that it is really strange to say that the money that was allotted could not be spent within three years and a comprehensive scheme could not be prepared within this time. I think, my friends of the House will remember that during the discussion of the last year's budget, I stated my views and I also made it clear that we first want primary education. Primary education is the only basis for the improvement of the condition of the community, and primary education is the only problem upon the proper solution of which the fate of the Scheduled Castes people depends. Sir, in some districts free primary education has been introduced, but so far as the Scheduled Castes people are concerned, the introduction of primary education has not proved successful.

Sir, in many areas which are thickly populated by the Scheduled Castes, people are wanting schools but they have been deprived save and except the Education Cess has been imposed. Special primary

schools should be started in the areas predominated by the Scheduled Castes. So, I submit, that at least 500 special primary schools be started in the areas predominated by the Scheduled Castes allowing not more than 25 special primary schools in a district and a sum of Rs. 1½ lakhs be allotted for the purpose.

Secondly, to declare a whole-sale tree studentship of the schools and colleges, 50,000 rupees be allotted to the college students and to the school students above the standard of Middle English Schools, Rs. 73,000 be allotted every year.

Thirdly, to meet the want of hostels in the headquarters Rs. 36,000 be allotted for hostels in the headquarters numbering about 20 with a monthly grant of Rs. 150.

Fourthly, Rs. 45,000 be allotted for the hostels in the subdivisional towns numbering about 75 hostels with a monthly grant of Rs. 50.

Fifthly, Rs. 21,600 be allotted for foreign education allowing not more than six students a year with a monthly allowance of Rs. 300 per boy.

Rs. 75,000 be allotted for building grants of various institutions. We do not wish that a greater portion of the money be spent for the purpose of permanent structures which is the only way to create favouritism and nepotism.

Lastly, I submit that Rs. 50,000 be kept in deposit as the deposit fund to meet the demand falling short, if any.

Sir, I submit that according to my scheme this sum of 5 lakhs of rupees is essentially necessary for the purpose of the improvement of the education of the Scheduled Castes and with these words I commend my motion to the acceptance of the House.

Mr. RASIK LAL BISWAS: (Rose to speak.)

Mr. SPEAKER: Mr. Biswas, without raising any specific issue you better confine your speech to the debate raised by Mr. Monmohan Das.

Mr. RASIK LAL BISWAS: সভাপতি মহাশয়, আমি গভর্ণমেণ্টকে নিন্দা করিবার জন্য আজ বলিতে উঠি নাই। আমি চাই গভর্ণমেণ্টের দৃষ্টি আকর্ষণ করিতে, তপশিলভুক্ত সম্প্রদায়ের ও শিক্ষায় অনুন্নত হিন্দুসম্প্রদায়ের জন্য বার্ষিক অতিরিক্ত ১০ লক্ষ টাকা ব্যয়ের প্রয়োজনীয়তা ও যুক্তিযুক্ততা সম্বন্ধে।

একথা আমরা আজ বলিতে পারি যে, চাকুরী বিষয়ে বিভিন্ন সম্প্রদায়ের আনুপাতিক হার নির্দ্ধারণ বিষয়ে গভর্ণমেণ্ট সাহসের সঙ্গে ন্যায় ও সুবিচারের দিকে যাইবার যেরূপ অগ্রসর নীতি গ্রহণ করেছেন শিক্ষা বিষয়ে তদ্রূপ পারেন নাই। কিন্তু তাই বলে অনুন্নতদের শিক্ষা ব্যাপারে গভর্ণমেণ্ট যে উদাসীন তাহা বলা চলে না। তপশিলভুক্ত সম্প্রদায়ের পক্ষ হইতে আজ

ধন্যবাদ সহকারে বলতে পারি যে আমাদের শিক্ষার জন্য পূর্ব্বাপেক্ষা বন্দোবস্ত কতকটা ভাল হইয়াছে। যে পাঁচ লক্ষ টাকা অতিরিক্ত মঞ্জুর হোয়েছিল তাহা দ্বারা আমাদের সম্প্রদায় বেশ উপকৃত হচ্ছে। তদ্ভিন্ন সাধারণ তহবিল হতে যে বৃত্তির ও সাহায্যের ব্যবস্থা আছে তাহাতেও অনেক ছাত্র যথেষ্ট উপকৃত হচ্ছে। একজন বিশেষ কর্ম্মচারী নিযুক্ত হওয়াতে আমদের সুবিধা আরও বাড়িয়াছে। এতখানি বন্দোবস্ত ভারতের অন্য কোন প্রদেশে হইয়াছে বলিয়া আমার জানা নাই। আরও একটি বিষয় স্মরণ করিয়া আমরা গভর্ণমেণ্টকে অধিকতর ধন্যবাদ দিতে পারি। সেদিন প্রধান-মন্ত্রী মহাশয় বলেছেন যে, Scheduled Castesএর কোন সদস্যও যদি গভর্ণমেণ্টকে সমর্থন না করে, তথাপি গভর্ণমেণ্ট Scheduled Castesএর শিক্ষা-ব্যাপারে কোনরূপ ত্রুটি করিবেন না। এ ঘোষণার মূল্য যে কত তা আমরা বেশ অনুভব করি। কায়মনোবাক্যে যাহাদের সর্ব্বদা সমর্থন করি, যাহাদের শত অন্যায়, অবিচার নির্ব্বিচারে সহ্য করিয়াও অনুগত থাকি, যাহাদের স্বজনপ্রীতি, পক্ষপাতিত্ব ও অন্যায় দম্ভ দর্শনে অন্তঃকরণ বিষাক্ত হইয়া উঠিলেও প্রতিবাদের হুঙ্কার তুলি না, যাহারা বন্ধু ও ভ্রাতা বলিয়া ডাকিয়া লইয়া আমাদের সহিত, ভিক্ষুক ও ক্রীতদাসের ন্যায় ব্যবহার করেন এবং এই সকল অমানুষিক অত্যাচারের প্রতিকার সকাতরে চাহিলেও যাঁহারা ঘৃণাভরে উপেক্ষা করিয়া রক্তচক্ষু দেখাইয়া থাকেন, আমাদের সেই সকল নেতাদের সঙ্গে তুলনা করিলে বুঝি যে, ইহা কত মহত্বের পরিচায়ক, কত আশ্বাসদায়ক। Caste হিন্দুদের যে সকল জাতি শিক্ষায় অগ্রসর, তাহাদের যেমন চাকুরী বিষয়ে দ্বার একরূপ বন্ধ, শিক্ষা বিষয়েও তাহারা একরূপ বঞ্চিত। তাহারা না পাইতেছেন তাহাদের উন্নত অংশের কোন সাহায্য, না পান তাহাদের কোন উৎসাহ। তাহারাও Caste হিন্দুদের মধ্যে Scheduled. তাহাদের দুর্গতি কি সামাজিক, কি আর্থিক কি শিক্ষা সম্বন্ধীয় সকল অবস্থাতেই বাড়িয়া চলিতেছে। ইহাদের কেহ নাই। যাহাদের অনুগ্রহ-কামনায় ইহারা কায়মনে তাহাদের সেবা করিতেছেন, তাহারা চির-উদাসীনভাবে ইহাদের প্রতি উপেক্ষা প্রদর্শন করিতেছেন। মাহিষ্য, কপালী, সূত্রধর, যোগী, কর্ম্মকার, কুম্ভকার প্রভৃতি জাতির লোকেরা আজ দুর্ভাগ্যক্রমে আমাদের সম্প্রদায়ের মধ্যে নাই, কিন্তু তাহাদের বর্ত্তমান অবস্থায় তাহারাও বিশেষ সাহায্য পাইবার অধিকারী। তাহাদের শিক্ষার জন্য বিশেষ ব্যবস্থা করা একান্ত প্রয়োজন। যে ১০ লক্ষ টাকার দাবী করিয়াছি, ইহার ৭ লক্ষ তপশিলভুক্তদের এবং আবার ৩ লক্ষ অনুন্নত Caste হিন্দুদের জন্য। এই টাকা দ্বারা কার্য্য এইরূপভাবে করা যাইতে পারে :—

১। (ক) সাধারণ শিক্ষা ও বিশেষ বিশেষ শিক্ষার বৃত্তি বাবদ বৎসরে বৃত্তি—২ লক্ষ।

(খ) বিদেশে বৃত্তি ১৬টি—৫০ হাজার।

২। স্কুল, মধ্য ও প্রাইমারী (যেখানে প্রাথমিক শিক্ষা আইন প্রবর্ত্তিত হয় নাই) সমূহে সাহায্য—২।০ লক্ষ।

৩। (ক) স্কুলে ছাত্রাবাসের জন্য সাহায্য—২৫ হাজার।

(খ) কলেজের ছাত্রাবাসের জন্য সাহায্য—২৫ হাজার।

৪। স্কুলগৃহ নির্ম্মাণে সাহায্য প্রতি বছর—১৷৷০ লক্ষ।

৫। ৫টি বিভাগে ৪টি শিক্ষকদের ও দুটি শিক্ষয়িত্রীদিগের জন্য ট্রেণিং স্কুল—৫০ হাজার।

৬। Special department for Scheduled Caste Education তাহাতে থাকিবে Divisional Inspector এর পদমর্য্যাদাসম্পন্ন একজন Special Officer এবং তাহার অধীনে ৫ বিভাগের জন্য ৫ জন Inspector ও দুই জন Inspectress ও অন্যান্য প্রয়োজনীয় staff—প্রতি বৎসরে ব্যয়—৫০ হাজার।

৭। বিভিন্ন স্কুলের লাইব্রেরীর ও লেবরেটারীর সাহায্য বৎসরে—৫০ হাজার।

৮। ২৫টি ভ্রাম্যমান লাইব্রেরী—৩০ হাজার।

৯। বহু প্লেট sports, ইত্যাদি বৎসরে—৬০ হাজার।

দেড়কোটি লোকের জন্য এই ব্যবস্থা খুব বেশী নয়। ইহার দ্বারাই যে অনুন্নতদের শিক্ষার যথেষ্ট ব্যবস্থা হইবে তাহা নয়। তবে এমন একটা impetus দেওয়া হইবে যাহাতে এই সম্প্রদায়ের মধ্যে শিক্ষার আলোক দ্রুত অগ্রসর হইবে। ১৷৷০ কোটি মূক, বধির, অন্ধ, পঙ্গু, নিরন্ন দেশবাসীর পুনর্জ্জীবনের ব্যবস্থা হইবে। এখন কথা হইতে পারে যে, যদি অনুন্নত ও তপশীলভুক্ত হিন্দুদের জন্য এইরূপ ব্যবস্থা করিতে হয় তবে অন্যান্য সম্প্রদায়ের কথাও ত বিচার করিতে হয়। আমিও যদি তাহা করা খুবই সঙ্গত হইবে। আমার মুসলমান ভাইদের অবস্থা তপশিলদের মত এত নিঃসহায় না হইলেও তাহারাও অনুন্নত, জন সংখ্যায়ও তাহারা প্রায় ৩ কোটি। তাহাদের জন্যও এইরূপ ২০ লক্ষ টাকার ব্যবস্থা করুন আমরা সানন্দে তাহা সমর্থন করিব। আর বাজেট দৃষ্টে দেখা যায় তাহাদের জন্য ২০ লক্ষাধিক টাকার বিশেষ ব্যবস্থা পূর্ব্ব হইতেই করা হইয়াছে, তাহা সত্ত্বেও যদি আরও কিছুর প্রয়োজন হয় তাহাও করুন। আমরা তাহাতে আনন্দিত হইব। দরিদ্র না থাকিলে ধনীর গর্ব্ব দেখে কে? অশিক্ষিত না থাকিলে শিক্ষার মর্য্যাদা থাকে কোথায়? এই সব বিবেচনা করিয়া আমাদের উন্নত ভাইরা এতকাল আমাদিগকে অশিক্ষিত ও দরিদ্র করিয়া রাখিয়াছেন। আজ সেই দরিদ্র মুসলমান ও অনুন্নত সমাজ ইচ্ছা করিলে বাংলার চেহারা এক বছরের মধ্যে বদলাইয়া দিতে পারে, কিন্তু ধনী ও শিক্ষাভিমানীরা মাঝখানে প'ড়ে সব গোলমাল করে দিচ্ছে বলে কাজ এগুচ্ছে না। এখন সেদিকে অসুবিধাভোগীদের নজর দেওয়া দরকার।

যদি বলেন টাকা কোথায় তাহা হইলেও দেখা যায় টাকা ইচ্ছা করিলেই আমরা পাইতে পারি। এত কাল ধনীদের সুবিধার জন্য গরীবদের উপর ট্যাক্সের পর ট্যাক্স চাপান হয়েছে। এবার আমরা সে স্রোত উল্টাইয়া দিতে পারি। প্রস্তাবিত শিক্ষাকর না বসাইয়াও Agricultural Income Tax ও death duty হইতে এক কোটি টাকা আদায় করা শক্ত নয়। গভর্ণমেণ্ট ইচ্ছা করিলেই করিতে পারেন। ইহাতে শিক্ষার সমস্যা অনেক পরিমাণে সমাধান হইতে পারে। তারপর administrationএর মাথা-

ভারী ভারটা কমাইয়া দেশের অবস্থার সঙ্গে সামঞ্জস্য রেখে কর্ম্মচারী ও তাহাদের বেতন নিয়ন্ত্রণ করিলে আরও এক কোটি টাকা পাওয়া যায়। তদ্ভিন্ন টাকা উঠানির আরও উপায় আছে।

তপশীলভুক্ত জাতির শিক্ষা প্রসঙ্গে একথাও জানাইতে চাই যে, প্রাথমিক শিক্ষা অবিলম্বে বাধ্যতামূলক করা দরকার। ইহাতে আপত্তি যতই উঠুক শিক্ষার আলোক থেকে লোকদের বঞ্চিত করার অপরাধের তুলনা নাই।

আর একটি কথা বলে আমি আমার বক্তব্য শেষ করি—যে ৫ লক্ষ টাকা গভর্ণমেণ্ট মঞ্জুর করেছিলেন তাহার খরচের পরিকল্পনা আমরা তপশীলভুক্ত জাতির শিক্ষার পরামর্শ কমিটি হইতে এপর্য্যন্ত ৭।৮ বার দিয়েছি, কিন্তু গভর্ণমেণ্ট বরাবরই তাহা পরিবর্ত্তন করেছেন। অর্থবিভাগে আমাদের সুপারিশ মাসের পর মাস পড়ে থাকে। তারপর ছাট কাট হ'য়ে আসে; পুনঃ পুনঃ এই খেলাই চলেছে। ফলে এপর্য্যন্ত ঐ টাকা খরচ হয় নাই। এবারও বাজেটে আমাদের শিক্ষার জন্য কোন বিশেষ ব্যবস্থা নাই, যদিও পূর্ব্বের টাকা একরূপ শেষ হোয়ে গ্যাছে। Special Officer ও যায় যায় অবস্থায়। অবস্থা ওদিকে বড়ই নিরাশজনক। আমি আমাদের পরম সুহৃদ, দরিদ্রের বন্ধু, কৃষক-বাংলার একমাত্র নিঃসহায় নেতা—প্রধান-মন্ত্রী মাননীয় ফজলুল হক সাহেবের দৃষ্টি এদিকে আকর্ষণ করিতে চাই। জগতের সকলেই আমাদের দয়া করে, আজ আমরা দয়ার ভারে জর্জ্জরিত। তিনি কি আমাদের দাবী বা অধিকার স্বীকার করিয়া লইয়া আমাদের হাত ধরিয়া তুলিবেন না?

Mr. MADHUSUDAN SARKAR: Sir, in connection with the motion moved by my friend Mr. Rasik Lal Biswas and Mr Monmohan Das, I would like to say something regarding the education of the scheduled castes in this province.

Sir, everybody is aware of the serious backwardness in education of the scheduled castes of this province. Honourable members of this House know it from before. The percentage of services for particular communities have been fixed and the scheduled castes have been favoured with 15 per cent. of the services. Here, Sir, I beg to mention that nearly one-fifth of the population of this province consists of scheduled castes, i.e., nearly 20 per cent. of the population, but they have not yet been able to supply the requisite number of candidates to the various departments We are getting instances of this every day on the floor of this House.

Sir, the scheduled castes are famous for their poverty; they are very poor; they are not in a position to pay up tuition fees for their children and their position is no better than the position of the Muhammadans. Rather, Sir, the position of the scheduled castes is worse than that of the Muhammadans of this province. Sir, I would like to ask the Hon'ble Finance Minister what has been done for this poor section of

the people in the Budget under review? Here at the outset I beg to submit that I have no grudge against any particular provision for any particular community. I know that all sections of the people of this province are in need of provision for the advancement of their education in common with all other provinces. In the Budget of this year, practically nothing has been provided for the scheduled castes. Here I may be interrupted by the Hon'ble Finance Minister, because at one place, i.e., at page 99 of this book there is also mention of expenditure on account of the scheduled castes. We say that 2 lakhs and 85 thousand rupees have been provided for the expenditure of the education of the scheduled castes for the year 1940-41, and this amount has been provided from the amount of Rs. 5 lakhs. I beg to submit, Sir, that these Rs 5 lakhs have already been distributed. In consideration of the backwardness of the scheduled castes of this province, we require the following recurring expenditure as I mentioned in a motion tabled by me, namely, motion No 30:—

	Rs.
(1) Grant-in-aid for 18 High English Schools at Rs 200 per month	43,200
(2) Grant-in-aid for 120 Middle English Schools at Rs 75 per month	1,08,000
(3) Grant-in-aid for 2 Middle English Schools for Girls at Rs 100 per month	2,400
(4) Senior and Junior Scholarships	20,000
(5) Stipends to school pupils	72,000
(6) Stipends to college students	30,000
(7) Three overseas stipends at Rs. 400 per mensem each	14,400
(8) Six stipends for B. T. Students at Rs. 20 per mensem	1,440
(9) Creation of 10 stipends for Textile Institute, Serampore, at Rs. 15 per mensem each	1,800
(10) Creation of 10 stipends to Veterinary College at Rs. 15 per mensem each	1,800
(11) Creation of 10 stipends in Dacca Agricultural College at Rs. 10 per mensem each	1,200
(12) Creation of 10 stipends in Female Training Schools at Calcutta and Dacca at Rs. 10 per mensem each	1,200
(13) Creation of 6 stipends in the Calcutta Government School of Art at Rs. 10 per mensem each	1,200

(14) Creation of 10 stipends in the Calcutta Government Commercial Institute at Rs. 10 per mensem	...	1,200
(15) Creation of 2 stipends in the Sibpur B. E. College at Rs. 30 per mensem each	...	720
(16) Creation of 8 stipends in the Ahsanullah School of Engineering, Dacca, at Rs. 15 per mensem each	...	1,440
(17) Creation of 3 stipends in the E. B. Technical School (Pabna) for Sub-Overseer Class at Rs. 5 per mensem each	...	180
Total	..	3,02,180

We are in need of this recurring grant for the advancement of the education of the scheduled castes.

With these few words, Sir, I beg to resume my seat.

(Babu Premhari Barma and Mr. Anukul Chandra Das rose to speak.)

Mr. SPEAKER: I shall first give Mr. Nalini Ranjan Sarker an opportunity to speak.

Mr. NALINI RANJAN SARKER: Sir, I am in a very peculiar position this time in this House Though my seat has changed, yet I am the target of all attacks. If there is no scheme, if there is no loan raised, I am to be attacked. If there is delay in execution of any scheme I am to be attacked. Sir, it seems that last year there was no Minister except the Finance Minister, no Government except the Finance Department. That was the impression sought to be given to this House by various speakers from the Coalition Party. At the time of the General Discussion of the budget my friend from the Muslim Chamber of Commerce, Mr. Siddiqi, said "but for the obstructionist policy of the Finance Minister lots of ameliorative schemes would have found place in the budget". Sir, I know my friend intimately, I know that he is credulous enough to believe what he is told. I also know that on second thought he sometimes retraces his first allegations when he finds that they are unfounded. I am quite sure that in this case also my friend has found afterwards the baselessness of his charge against me. Because of my past connection with the Government. I am in a position in which I cannot defend myself in detail, since I cannot disclose the secrets, I cannot disclose things that happened in the Secretariat, but this much I can say that I had worked honestly, I never took up an attitude of an obstructionist in any matter. On the other hand, if truth is unfolded any day, it

will be found that I have tried to help in the formulation of the ameliorative Schemes of my colleagues as much as I could, but I do not say that I am above criticism. Certainly I am not such an influential or such a competent man that I can devise means for turning Bengal into a prosperous country over-night, nor so influential that I could get all my colleagues to accept my own views always. Mr. Siddiqi's charges are unwarranted, unfounded and untrue.

With reference to this particular item, my friend Mr. Birat Chandra Mandal, who is not here, said that it was for my obstructionist policy that the scheduled caste education scheme has not been given effect to and that, as he said, I was inimical to all measures for scheduled caste improvement. He is not here and I do not take his criticism very seriously, because though my friend considers that his first name "Birat" connotes a huge thing, he forgets that his second name "Mandal" which means a circle circumscribes it.

Mr. SPEAKER: I am sorry, Mr. Sarker, that you are making a general reply. This is not the occasion for that. You should reply only to the particular points.

Mr. NALINI RANJAN SARKER: All right, Sir, but Mr. Das mentioned Birat Mandal's criticism.

Mr. SPEAKER: But he did not try to describe his body. (Laughter)

Mr. NALINI RANJAN SARKER: So far as scheduled caste education is concerned, Mr. Monmohan Das said that his information is that it is the Finance Department which makes the delay, but the reply to this is to be found in the subsequent portion of his own speech. He himself has said that whatever was provided in the budget could not be spent. But, Sir, the Finance Department is not the spending department, though I may have taken the entire responsibility, so long as I was the Minister, of every deficiency in the work of the Government as a whole. But if specifically it is said that for my inactivity or my spirit of obstructionism the money could not be spent, I would only say that the members who make these charges have not read the Red Book. Page 149 which Mr. Monmohan Das quoted will bear ample testimony that it is not the Finance Department but the department concerned in particular which could not spend the money. It is not necessary to take an obstructionist attitude if the money provided is so very difficult to be spent. So far as the schemes are concerned, the less said about them the better. They cannot be called schemes for the improvement of scheduled caste education. They are doles given to institutions and persons; but I need not discuss the schemes in detail,

because these schemes have been accepted by the leaders of the communities like Mr. Anukul Chandra Das, Mr. Kshetra Nath Singha, and other prominent scheduled caste leaders. If they thought that by spending mainly on bricks and mortar scheduled caste education could be improved, it is not for me to say anything. But I can only say that by schemes of this nature the real purpose of extending education among scheduled castes will not be helpful to move in an unreal atmosphere. We cannot get more than what we have it in us to achieve. In these days of self-determination we cannot expect more.

The Hon'ble Mr. A. K. FAZLUL HUQ: Sir, my friend Mr. Rasik Lal Biswas has made a very touching appeal to me to sympathise with the demands of the scheduled caste education and I can assure him that his appeal will not go in vain. I belong to a district which not only contains a very large scheduled caste population but I believe it is one of those districts which contain the largest units of scheduled castes in Bengal. I have always had a very soft corner in my heart, not merely for the scheduled castes, but for all the backward communities including my own community in matters of general education. It was for this reason that when sometime ago Mr. Monmohan Das moved a resolution for Rs. 5 lakhs in furtherance of the scheduled caste education I at once agreed, because I felt that the time had come when Government should announce its sympathy, not merely in words about scheduled caste education, but that some definite steps should also be taken in order to further the cause of the scheduled caste education in this province. Sir, I not only agreed but I followed up my announcement in this House by the appointment of a special officer belonging to the scheduled caste community and I set up a committee to help this special officer for the purpose of formulating schemes in furtherance of scheduled caste education. Sir, I went further; I committed Government definitely to the expenditure of this 5 lakhs with the result that although the amount may not be spent in any particular year the balance would not lapse but would be carried forward from year to year till the entire amount is exhausted. Now, Sir, having done all that I would just tell the House very briefly what we have been able to do regarding the scheduled caste education and what we propose to do in future in furtherance of any scheme that may be forthcoming for the cause of the scheduled caste education in this province.

Now, Sir, the other day in the course of my reply to the budget discussion I gave the House certain figures which I need not repeat, but I will give the House once more an idea of what has been done and what we propose to do in this matter. Out of Rs. 5 lakhs which we had budgeted, a sum of Rs. 33,02,747 was allotted immediately but it could not be spent and only Rs. 1,92,872 has up to now been

spent on various schemes. This year we have estimated Rs. 2,85,455 and the committee have been asked to put forward definite and permanent schemes.

There is one item about which I can give the House a definite announcement and it is with regard to the scholarships meant for the scheduled caste boys——

In the first year we allotted Rs. 20,000 and next year we repeated that amount and I can tell the House that we propose now to make this amount of Rs. 20,000 for scholarships to scheduled caste students a recurring charge in the Budget of the province. We began with Rs. 20,000 but we will be prepared to increase the amount if we find that the needs of the Scheduled Caste education require more money.

As regards Rs. 5 lakhs I don't say that Government would stop as soon as that Rs. 5 lakhs is spent. I can assure the House that we will put in the budget as much as may be necessary in order to finance schemes which may be put forward either by the Committee or by the members of the Scheduled Caste community in this House and I can assure my friends of the Scheduled Castes that we will not be behindhand in furthering any scheme or carrying out any project which they may think necessary for the advancement of the education of their boys and girls. There is only one point which I would ask my friends to remember and that is a point of some importance. The scheduled castes have not got any special institutions of their own, just as the Muslims have got. The Muslims have got their Madrassahas, High and Junior, their Maktabs and other institutions. But the scheduled caste boys receive their education in all the educational institutions of the province along with the boys of other communities and there are only just a few institutions which are controlled by the scheduled castes in which the scheduled caste students preponderate. So far as these institutions are concerned, we make it a point of treating them with special care. As regards the other institutions we are trying to help the scheduled caste students by giving scholarships, building hostels and even supplying them with money for the purchase of books and other things, and I think I can fairly claim that so far as the present grants are concerned, we have been doing all that we can possibly do under the circumstances in order to show our practical sympathy with my friends belonging to the scheduled caste community. Sir, if I may be permitted, I can say that when we announced this allotment of Rs. 5 lakhs for the scheduled caste education, we took a very great step forward in the advancement of this great community. Never before in the history of this province was there a definite sum earmarked, and a sum of such an extent, for the education of boys and girls of any community. I hope that what we have done in the past is the best guarantee of what we propose to do in the future. It may be that my friends of the scheduled castes are extremely anxious

that more money should be spent. With that desire I most heartily sympathise. It is their natural desire because the scheduled castes are trying to come into their own. There is one little point of warning which I should give and it is this, that it is always a bad policy to try to learn to run too fast. We have got to take note of the ground which we have to traverse, our own capacity for moving forward, and also the little pitfalls that may lie ahead. Having regard to everything I extend to my friends of the Scheduled Castes my hearty sympathy and I hope I will be able to show not merely by sweet words but by actual deeds what we propose to do for the advancement of the scheduled caste education in Bengal. We will not stop short with what we have done and we propose to go forward. Far from stopping we will go on expanding and expanding till our scheduled caste people are convinced that they occupy as much a place in our affections as any other community in this province. With these words, I hope my friend will not press his motion.

The motion of Mr. Monmohan Das that the demand of Rs. 1,53,36,000 under the head "37—Education—General", be reduced by Rs. 100 was then put and lost.

Adjournment.

It being 8-10 p.m.

The House was adjourned till 10-30 a.m. on Saturday the 9th March, 1940, at the Assembly House, Calcutta.

Proceedings of the Bengal Legislative Assembly assembled under the provisions of the Government of India Act, 1935.

THE ASSEMBLY met in the Assembly House, Calcutta, on Saturday, the 9th March, 1940, at 10 a.m.

Present:

Mr. Speaker (the Hon'ble Khan Bahadur M. AZIZUL HAQUE, C.I.E.) in the Chair, 10 Hon'ble Ministers and 200 members.

STARRED QUESTIONS

(to which oral answers were given)

Communal ratio in services for Scheduled Castes.

*207. **Mr. UPENDRA NATH EDBAR:** (*a*) Is the Hon'ble Minister in charge of the Home (Appointment) Department aware that the inclusion of the proviso "provided they are eligible" has been acting adversely to the principle of communal ratio in services for the Scheduled Caste candidates?

(*b*) If so, what steps do the Government propose to adopt in this matter?

(*c*) Will the Hon'ble Minister be pleased to state whether any special officer has been appointed by the Government to look after the working of the communal ratio?

(*d*) If so, who is the officer?

(*e*) Has he submitted any report?

MINISTER in charge of the HOME DEPARTMENT (the Hon'ble Khwaja Sir Nazimuddin): (*a*) No. The words "provided they are eligible" do not occur in the Government communiqué.

(*b*) Does not arise.

(*c*) Yes.

(*d*) Mr. W. McC. Sharpe, I.C.S.

(*e*) No.

Mr. PRAMATHA RANJAN THAKUR: With reference to answer (*a*), the Hon'ble Minister has said that the words "provided they are eligible" do not occur. Will the Hon'ble Minister be pleased to state if it is a fact that the words "provided suitable candidates are not available from the Scheduled Castes community" are inserted in the Government communique?

The Hon'ble Khwaja Sir NAZIMUDDIN: Yes, those words are there.

Mr. PRAMATHA RANJAN THAKUR: Will the Hon'ble Minister be pleased to state what is the difference between the words in the answer and the words I have stated?

Mr. SPEAKER: That does not require any supplementary question.

Babu MADHUSUDAN SARKAR: Will the Hon'ble Minister be pleased to state if he is aware that taking advantage of the loophole in the expression "provided suitable candidates are not available from the Scheduled Castes community," sometimes Scheduled Castes candidates are deprived of their proper share in the services by the appointing authorities?

The Hon'ble Khwaja Sir NAZIMUDDIN: Sir, it is very unfair to say so. There is vast difference between the meaning of suitable candidates and eligible candidates. To cut short all supplementaries, I may say that the question about "suitable candidates" is under the consideration of Government.

Babu MADHUSUDAN SARKAR: Will the Hon'ble Minister be pleased to state how long it will take to cosider that question?

The Hon'ble Khwaja Sir NAZIMUDDIN: It won't take more than a month or so.

Mr. PRAMATHA RANJAN THAKUR: Is the Hon'ble Minister aware that it is not the words but the sense that they carry which matters?

The Hon'ble Khwaja Sir NAZIMUDDIN: That is a matter of opinion.

Leper Clinic at Nasirnagar, Brahmanbaria, Tippera.

*208. **Mr. DHIRENDRA NATH DUTTA:** (*a*) Will the Hon'ble Minister in charge of the Public Health and Medical Department be pleased to state how many Leper Clinics are there at present in the Province of Bengal?

(*b*) Is the Hon'ble Minister aware—

(*i*) that there is one Leper Clinic in village Nasirnagar in subdivision Brahmanbaria in the district of Tippera;

(*ii*) that the donations from the District Board and the Sarail Estate and subscriptions from the Union Boards, which form the income of the clinic are not sufficient to meet the expenses of the Leper Clinic;

(*iii*) that there is only one Leper Assistant but no doctor attached to the clinic;

(*iv*) that the growing number of patients both indoor and outdoor demand the necessity of one expert doctor for the clinic besides the Leper Assistant;

(*v*) that the clinic is situated near the police-station and is closed to the homesteads of the villagers;

(*vi*) that there is an urgent necessity for the removal of the clinic from the present site;

(*vii*) that the erection of a building outside the village with an extension is needed; and

(*viii*) that the clinic cannot undertake necessary improvements for want of funds?

(*c*) If the answer to (*a*) is in the affirmative, is the Hon'ble Minister considering the desirability of—

(*i*) supplying funds for effecting the improvements mentioned in (*a*), and (*b*) (*iv*) and (*vii*); and

(*ii*) granting an annual grant for its proper maintenance.

MINISTER in charge of the PUBLIC HEALTH and MEDICAL DEPARTMENT (the Hon'ble Nawab Khwaja Habibullah Bahadur, of Dacca): (*a*) 136, so far as reported to the Director of Public Health, Bengal.

(*b*) (*i*), (*ii*) and (*viii*) Yes.

(*iii*) Besides the Leper Assistant, the Medical Officer of the Nasirnagar Charitable Dispensary who is trained in the treatment of leprosy also acts as the part-time medical officer of the clinic which only treats outdoor patients. The medical officer is quite competent to deal with all cases.

(*iv*) Government are advised that there is no such necessity.

(*v*) and (*vi*) The Special Officer, British Empire Leprosy Relief Association, Bengal, who visited the clinic last year expressed the opinion that there was nothing objectionable regarding the present site.

(*vii*) An extension is not considered immediately necessary, especially as the building for the clinic was recently constructed at a cost of about Rs. 2,000.

(*c*) (*i*) Does not arise as the suggested improvements are not considered to be immediately necessary.

(*ii*) The question of a grant will be sympathetically considered by me when a proposal is received from the local authority, provided it conforms to the lines of the provincial scheme.

Number of and expenditure on account of auditors of co-operative societies since 1932-33.

***209. Dr. SHARAT CHANDRA MUKHERJI:** (*a*) Will the Hon'ble Minister in charge of the Co-operative Credit and Rural Indebtedness Department be pleased to state—

(*i*) the number of auditors of co-operative societies since 1932-33;

(*ii*) the number of auditors whose expenditure is borne by Government;

(*iii*) the amount spent by the Government during each of the last 7 years on this account;

(*iv*) the expenditure incurred on account of auditors of co-operative societies maintained out of audit fees in each of the last 7 years; and

(*v*) the amounts of audit fees collected in each of the last 7 years?

(*b*) Will the Hon'ble Minister be pleased to state how the surplus, if any, has been spent or utilised?

(*c*) Has the expenditure on account of the auditors from 1932-33 onwards been increased?

MINISTER in charge of the CO-OPERATIVE CREDIT and RURAL INDEBTEDNESS DEPARTMENT (the Hon'ble Mr. Mukunda Behary Mullick): (*a*) A statement giving the desired information is laid on the Library table.

(*b*) There was no surplus during the last seven years.

(*c*) Yes.

Realisation of audit cess during 1938-39.

***210. Maulvi AULAD HOSSAIN KHAN:** Will the Hon'ble Minister in charge of the Co-operative Credit and Rural Indebtedness Department be pleased to state—

(*a*) the amount realised as audit cess during the year 1938-39, showing separately—

(*i*) arrear, and

(*ii*) current;

(*b*) the amount outstanding at the end of the year; and

(*c*) the amount spent as pay and travelling allowance of the auditors?

The Hon'ble Mr. MUKUNDA BEHARY MULLICK: (*a*) (*i*) Rs. 33,202-12-5

(*ii*) Rs. 2,07,256-1-7.

(*b*) The amount outstanding at the end of the year including the accumulated arrears outstanding from previous years—Rs. 7,94,127-14-11.

(*c*) The total cost of audit staff payable from audit fees during 1938-39—Rs. 4,59,655-14-8.

This figure is calculated on the basis of the accepted average cost of an auditor: the accounts of the actual expenditure upon pay and travelling allowance of auditors are not separate from such expenditure upon Inspectors or clerical staff and separate figures cannot be obtained without a degree of trouble and labour which I regret that I cannot consider to be justified.

Mr. ABU HOSSAIN SARKAR: Will the Hon'ble Minister be pleased to state whether it is a fact that the realisation of audit fees from the societies causes great hardship to them?

The Hon'ble Mr. MUKUNDA BEHARY MULLICK: It depends upon circumstances. But it is a statutory liability which the societies are expected to fulfil.

Mr. ABU HOSSAIN SARKAR: Is the Hon'ble Minister aware that in other departments of Government audit fees are generally paid from the exchequer of the Government?

The Hon'ble Mr. MUKUNDA BEHARY MULLICK: I am not aware of this.

Mr. ABU HOSSAIN SARKAR: Will the Hon'ble Minister please enquire into the matter and make himself aware of the thing?

The Hon'ble Mr. MUKUNDA BEHARY MULLICK: If the honourable member be good enough to send a note, I may be prepared to look into it.

Levy of audit fees from liquidated Co-operative Societies.

***211. Dr. SHARAT CHANDRA MUKHERJEE:** (*a*) Will the Hon'ble Minister in charge of the Co-operative Credit and Rural Indebtedness Department be pleased to state the amount of audit fees levied in each of the last five years from liquidated Co-operative Societies?

(*b*) Is the Hon'ble Minister aware—

(*i*) that liquidators in many cases are unable fully to repay the dues of creditors and financing Central Co-operative Banks; and

(*ii*) that levy of audit fees from liquidated societies adversely affects creditors and financing Central Co-operative Banks?

(*c*) If the answer to (*b*) is in the affirmative, will the Hon'ble Minister be pleased to state what steps, if any, he proposes to take in the matter?

The Hon'ble Mr. MUKUNDA BEHARY MULLICK: (*a*) A statement is laid on the table.

(*b*) (*i*) In some cases.

(*ii*) It is in the interest of the creditors and financing Central Banks themselves that audit of the accounts of the liquidated societies should be maintained like other societies and should therefore be paid for by them (liquidated societies).

(*c*) Does not arise.

Statement referred to in the reply to clause (a) of starred question No. 211.

Year.	Amount of audit fees.
	Rs.
1934-35	9,316
1935-36	9,668
1936-37	8,304
1937-38	8,783
1938-39	4,052

UNSTARRED QUESTIONS

(to which answers were laid on the table)

Co-operative societies in Bengal.

90. Mr. SIBNATH BANERJEE: (*a*) Will the Hon'ble Minister in charge of the Co-operative Credit and Rural Indebtedness Department be pleased to state—

(*i*) the total number of co-operative societies on 31st March, 1938;

(*ii*) the total amount of audit fees assessed on them in the year 1938-39;

(*iii*) the total amount realised in the year 1938-39;

(*iv*) the number of auditors employed in that year;

(*v*) the number of societies that have not been audited in 1938-39;

(*vi*) the number of auditors engaged in organising and working crop loan societies;

(*vii*) the number of societies that submitted annual returns in the year 1937-38;

(*viii*) the number of them that have been checked by the auditors; and

(*ix*) the amount of surplus audit fees that is lying with the department?

(*b*) Will the Hon'ble Minister be pleased to state whether the annual statistical abstracts of the Co-operative Department are prepared from audited figures or not?

The Hon'ble Mr. MUKUNDA BEHARY MULLICK: (*a*) (*i*) 24,126.

(*ii*) Rs. 4,73,435.

(*iii*) Rs. 2,40,459.

(*iv*) 273.

(*v*) 7,250.

(*vi*) No auditor was engaged in organising and working crop loan societies. They assisted in the scrutiny of organisation papers of newly formed crop loan societies. It is not possible to give the number of auditors who rendered such assistance.

(*vii*) All the societies.

(*viii*) The annual returns of primary societies were checked by the officers of the Central Bank concerned whose duty it is to collect, check and compile the returns of primary societies affiliated to it, for submission to the Assistant Registrar concerned. The returns so compiled are checked by the local inspector and auditors of co-operative societies before their incorporation in the annual report. It is not possible to give the number of such returns which were checked by auditors alone.

(*ix*) Rs. 9,22,802 as at 31st March, 1939—lying with the Government.

(*b*) Not necessarily from audited figures.

Cattle epidemic in Kishoreganj.

91. Khan Sahib HAMIDUDDIN AHMED: (*a*) Is the Hon'ble Minister in charge of the Agriculture and Industries Department aware—

(*i*) that cattle disease has broken out in epidemic form in the north-eastern part of the Kishoreganj subdivision resulting in death of cows in hundreds;

(*ii*) that in many cases no steps have been taken; and

(*iii*) that in some cases steps taken by the Government for dealing with the epidemic have not been adequate?

(*b*) How do the Government propose to deal with such epidemic promptly and adequately in future?

(*c*) Have the Government received any report as to the success or otherwise of the dual control of the Veterinary Assistants by the Government and the District Boards?

(*d*) Will the Hon'ble Minister be pleased to state whether he is considering the desirability of taking up the entire control of the whole Veterinary units in *mufassal* or leaving the same to the District Boards as in the past with sufficient grant?

MINISTER in charge of the AGRICULTURE and INDUSTRIES DEPARTMENT (the Hon'ble Mr. Tamizuddin Khan): (*a*) (*i*) Yes. The mortality was however not heavy.

(*ii*) and (*iii*) Altogether 158 outbreaks were reported but owing to the delay in receiving the reports 74 were found to have subsided before the Veterinary staff arrived and the rest were attended to. The local Veterinary Assistant Surgeon and the Veterinary Inspector of the circle visited the area promptly and as they could not cope with the situation, six other Veterinary Assistant Surgeons were mobilized from other subdivisions and districts. All the affected places were attended with prophylaxis and as many as 14,476 inoculations and vaccinations were performed. The steps taken by the Veterinary staff were quite adequate but in many cases the villagers refused to allow inoculation of their cattle, and in cases in which inoculation was allowed, the inoculated cattle were kept exposed in the open fields day and night. The mortality that occurred was therefore largely due not to the inadequacy of the steps taken by the Veterinary staff but the delay in reporting the outbreaks and the fact that the villagers did not follow the instructions of the Veterinary staff and refused inoculation of their cattle.

(*b*) The recent provincialisation of the itinerant Veterinary staff has placed the Itinerant Veterinary Surgeons exclusively on epidemic duties. The Itinerant Veterinary Assistant Surgeons are therefore now free to devote their whole attention and time to measures for the control of epidemic. Besides, it will henceforth be possible to mobilise itinerant Veterinary staff from other places if the local staff cannot cope with the situation. The position will further improve when, as contemplated in the new scheme, the itinerant staff is augmented so as to post at least two Itinerant Veterinary Assistant Surgeons to each subdivision. When the scheme has been fully put into effect, therefore, it will be possible to take adequate and effective measures for the control of any epidemic that breaks out at any place. But the most essential pre-requisite for the success of the measures taken by the Veterinary staff is the prompt reporting of outbreaks and the willingness of the people to submit to the instructions of the Veterinary staff and to allow their cattle to be promptly inoculated. Experience has shown that the best efforts of the Veterinary staff to control epidemic by timely wholesale inoculation and other measures are frustrated by the delay in reporting outbreaks and the unwillingness of the cultivators to submit to such measures. It is therefore necessary to carry on vigorous and widespread propaganda for educating the people including the Presidents

and members of Union Boards in the benefits they can derive by promptly reporting outbreaks and following the instructions of the Veterinary staff. The present arrangement for such propaganda is, however, very inadequate as there is only one Veterinary Inspector for carrying on such propaganda in the whole Province. I have a scheme for augmenting the propaganda staff so as to have one Propaganda Officer for each of the three Veterinary Ranges into which the Province has been divided and providing them with suitable equipment, which I hope to put into effect in the near future.

(*c*) and (*d*) The dual control of the Veterinary staff proved very unsatisfactory. In the first place, as the Veterinary Assistant Surgeons were under partial control of the District Boards it was not possible to mobilize them to places of outbreaks outside their jurisdictions. Secondly, the District Boards were employing Itinerant Veterinary Assistant Surgeons also for dispensary and hospital work with the result that they could not devote their full attention to the important work of epidemic control for which they were meant. Under the provincialisation scheme referred to above, Government have taken full control and financial responsibility in respect of the Itinerant Veterinary Assistant Surgeons and both the defects of the dual control system explained above have been removed. On the other hand, the District Boards have been given full control of the stationary staff for exclusive employment on dispensary and hospital duties, though Government have undertaken to bear portion of the cost on their account, as at present, up to the limit of one Stationary Veterinary Assistant Surgeon for each subdivision.

Mr. ABDUL WAHAB KHAN: Will the Hon'ble Minister be pleased to state how the services of the Itinerant Veterinary Surgeons who are placed on epidemic duties are utilized when there is no epidemic?

The Hon'ble Mr. TAMIZUDDIN KHAN: In some cases they have been permitted to work in veterinary dispensaries.

Mr. ABDUL WAHAB KHAN: Will the Hon'ble Minister be pleased to state if he is aware that in many cases when there are no epidemics they absolutely sit idle and have nothing to do?

The Hon'ble Mr. TAMIZUDDIN KHAN: Yes, Sir.

Mr. ABDUL WAHAB KHAN: Will the Hon'ble Minister be pleased to take necessary steps so that their services may be properly utilized throughout the year?

The Hon'ble Mr. TAMIZUDDIN KHAN: I am considering the question. The difficulty is that if they are otherwise engaged, when epidemic breaks out, their services are not easily available and a serious situation arises. I admit that it is not satisfactory that they have practically nothing to do when there is no epidemic. I am looking into the question.

Stay of suits by notices under section 34 of the Bengal Agricultural Debtors Act, 1935, in Tippera.

92. Mr. DHIRENDRA NATH DATTA: (*a*) Will the Hon'ble Minister in charge of the Judicial Department be pleased to lay on the table a statement showing for the years 1937, 1938 and 1939 with respect to the Tippera district—

(*i*) how many suits have been stayed by notices under section 34 of the Bengal Agricultural Debtors Act, 1935;

(*ii*) how many of them are—

(1) rent suits, and

(2) money suits;

(*iii*) how many execution cases have been so stayed; and

(*iv*) how many notices under section 34 have been withdrawn on the ground that the cases have been disposed of after the cases have been stayed?

(*b*) Will the Hon'ble Minister be pleased to lay on the table another statement showing separately for the years 1930 to 1939 with respect to the Tippera district, the number of—

(1) money suits,

(2) rent suits, and

(3) title suits

instituted in the—

(1) Subordnate Judge's Court, and

(2) Munsif's Court?

(*c*) If the number of suits shows decline, will the Hon'ble Minister be pleased to state whether it is in the contemplation of Government to reduce the number of Judicial officers proportionately?

(*d*) If the answer to (*c*) is in the negative, will the Hon'ble Minister be pleased to state the reason therefor?

MINISTER in charge of the JUDICIAL DEPARTMENT (the Hon'ble Nawab Musharruff Hossain, Khan Bahadur):

			1937.	1938.	1939.
(a)	(i)	..	2,557	4,219	2,879
	(ii) (1)	..	690	1,984	1,760
	(2)	..	1,867	2,235	1,119
	(iii)	..	2,722	3,481	2,829
	(iv)	..	87	204	861

(b) Institution of suits in—

Year.	Sub-Judge's Court.			Munsif's Court.		
	Money.	Rent.	Title.	Money.	Rent.	Title.
1930 ..	651	9	302	17,377	15,710	2 374
1931 ..	487	19	128	19,314	14,088	1,712
1932 ..	548	19	95	16,299	21,579	2 472
1933 ..	756	17	142	20,881	30,199	2,688
1934 ..	753	14	91	16,913	29,879	3,040
1935 ..	486	20	112	16,531	25,294	3,830
1936 ..	413	21	132	16,389	25,593	4,641
1937 ..	299	20	130	10,957	22,612	4,073
1938 ..	178	15	192	5,958	20,657	3,130
1939 ..	113	16	134	4,174	19,893	2,481

(c) The matter is under consideration.

(d) Does not arise.

Mr. SHAHEDALI: With reference to answer (c), the Hon'ble Minister says that the matter is under consideration. Will the Hon'ble Minister be pleased to state how long it is under consideration and when the consideration will be finished?

The Hon'ble Nawab MUSHARRUFF HOSSAIN, Khan Bahadur: The matter is under consideration. The honourable member ought to know that during the last three years no recruitment has been made, as a result of which, owing to the casualty of 60, the strength of the cadre which is just 330 has been reduced to 270 at present. So from

the figures my friend will see that really speaking there has been a reduction of just 16 per cent. of suits and already the reduction in the number of Munsifs is 20 per cent.

Mr. SHAHEDALI: Sir, my question has not been answered. I wanted to know how long it will take to finish the consideration?

The Hon'ble Nawab MUSHARRUFF HOSSAIN, Khan Bahadur: So far as that question is concerned, the answer that I have given does not mean that the whole thing has been considered. We now consider that our present strength of Munsifs is so low that we will have to make recruitment now.

Mr. SHAHEDALI: In view of the fact that at present some Munsifs are given power to try criminal cases and who are known as Munsif Magistrates, will the Hon'ble Minister be pleased to consider the desirability of reducing the number of Munsifs and transfer them to the Criminal Department to try criminal cases and thereby acquire knowledge?

Mr. SPEAKER: That question does not arise.

Provision of free pasturage.

93. Maulana MD. MANIRUZZAMAN ISLAMABADI: (*a*) Is the Hon'ble Minister in charge of the Forest and Excise Department aware of the repeated demands made in this House for setting apart a portion of *khasmahal*, reserve and protected forests in the neighbourhood of locality as free pasturage in Chittagong and other districts of Bengal?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state what steps are being taken in the matter?

(*c*) If no steps are being taken, will the Hon'ble Minister be pleased to state the reason thereof?

MINISTER in charge of the FOREST and EXCISE DEPARTMENT (the Hon'ble Mr. Prasanna Deb Raikut): Yes. So far as the forests in the Chittagong district are concerned.

(*b*) As regards protected forests in the district, the member is referred to the reply given to starred question No. 129 of the current session.

As regards reserved forests Government have decided that no free and uncontrolled grazing in the said forests should be allowed as this would be incompatible with their maintenance as permanent forest assets.

(*c*) Does not arise.

Mr. ABDUL WAHAB KHAN: Will the Hon'ble Revenue Minister be pleased to state what steps Government have taken for reserving certain portions of the khas mahal as free pasturage, because khas mahal is also included in this question?

Mr. SPEAKER: You have to address the Hon'ble Minister in charge of the question.

Mr. ABDUL WAHAB KHAN: Sir, a part of the question refers to khas mahal also. I want reply to my question from any Hon'ble Minister.

Mr. SPEAKER: Your question is entirely a subject of the Revenue Department.

Mr. ABDUL WAHAB KHAN: But, Sir, the question is already there and it has been admitted in this form.

Mr. SPEAKER: That is absolutely beside the point for the time being.

Mr. ABDUL WAHAB KHAN: Sir, will the Hon'ble Minister be pleased to reply my question?

The Hon'ble Mr. PRASANNA DEB RAIKUT: Sir, I am unable to say anything about the khas mahal lands.

Curriculum of the Daulatpur Agricultural Institute.

94. Dr. NALINAKSHA SANYAL: (*a*) Is the Hon'ble Minister in charge of the Agriculture and Industries Department aware—

(*i*) that the Director of Agriculture, Bengal, has informed the Director of Public Instruction that the students of the Daulatpur Agricultural Institute learn their agriculture from books and are, in most cases, not suitable for the posts of agricultural teachers in schools;

(*ii*) that the curriculum followed by the Daulatpur Agricultural Institute was drawn up in consultation with the Department of Agriculture; and

(*iii*) that the curriculum was approved by the Director of Agriculture?

(*b*) What was the main object in view of the Director of Agriculture in approving of the said curriculum?

(*c*) Will the Hon'ble Minister be pleased to state what specific directions the curriculum of the Daulatpur Agricultural Institute need recasting in order to enable the Director of Agriculture—

(*i*) to approve of the same; and

(*ii*) to recognise the training imparted there as up to the standard desired by him?

(*d*) What steps do the Government propose to take in order to see—

(*i*) that the Daulatpur Agricultural Institute may not be abandoned; and

(*ii*) that the public money spent on the same may not be wasted?

The Hon'ble Mr. TAMIZUDDIN KHAN: (*a*) (*i*) Yes. The Institute was started before the necessary lay-out of the farm for practical agricultural training had been done and the equipment completed. The result was that the Institute provided only theoretical training in the class rooms and could not give any practical training to the students. Students thus trained are unsuitable for the posts of agricultural teachers in schools. The lay-out of the farm has now been undertaken by the Communications and Works Department.

(*ii*) and (*iii*) Yes, but the practical side of the curriculum drawn up in consultation with and approved by the Director of Agriculture could not be followed so long for want of the lay-out and equipment of the farm.

(*b*) The idea underlying the curriculum approved by the Director of Agriculture is to impart higher agricultural education with special reference to practical training by combining outdoor labour with scientific knowledge so as to equip the students for starting agricultural enterprizes of their own individually or co-operatively or for finding employment in zemindari estates.

(*c*) The curriculum of the Institute has already been approved by the Director of Agriculture and it does not require any modification. The desired standard will be attained if the curriculum as approved by the Director of Agriculture is thoroughly followed.

(*d*) Government are watching the situation with some anxiety but they hope that the Governing Body will shortly be able to comply fully with the requirements of the approved curriculum and make arrangements so that the objects for which the Institute was started are fulfilled. So far the Institute has not been in full working order and Government do not intend to take any action at present. They will, however, continue to watch closely the progress made.

Mr. P. BANERJI: Will the Hon'ble Minister be pleased to state if he is in a position to give the approximate time by which the laying-out of the farm was undertaken?

The Hon'ble Mr. TAMIZUDDIN KHAN: Sir, I do not think any time limit was given, but the laying-out of the farm was not complete when the school was started.

Mr. P. BANERJI: But is the laying-out complete now?

The Hon'ble Mr. TAMIZUDDIN KHAN: No.

Mr. P. BANERJI: Is the Hon'ble Minister aware that the training in some portions of the farm, about 500 bighas, was started some years ago?

The Hon'ble Mr. TAMIZUDDIN KHAN: May have been, I do not know.

Mr. ATUL KRISHNA GHOSE: With reference to reply (*d*) will the Hon'ble Minister please enlighten us who are the members of the governing body of the institute and whether the Government has got any responsibility whatsoever or any share in the governing body?

Mr. SPEAKER: The first part of your question does not arise, but the second part does; so you may ask the latter part.

Mr. ATUL KRISHNA GHOSE: Sir, the implied intention of the first part of my question is.....

Mr. SPEAKER: I am sorry you cannot ask the first part.

Mr. ATUL KRISHNA GHOSE: If you do not allow us to put supplementary questions then let us not put any questions at all.

Mr. SPEAKER: You can ask the second part of the question.

Mr. P. BANERJI: Is it a fact that the head of the governing body is the Collector himself?

The Hon'ble Mr. TAMIZUDDIN KHAN: Sir, I have not got the names of the members of the governing body here. As Government spent so much money over the institute I think some representatives of the Government are there. The Collector is most probably there. I am not sure.

Mr. ATUL KRISHNA GHOSE: Will the Hon'ble Minister please enlighten us when that institution was started?

The Hon'ble Mr. TAMIZUDDIN KHAN: If my friend wants the exact date, I must have notice.

Mr. ATUL KRISHNA GHOSE: In view of the Hon'ble Minister's reply that "Government are watching the situation," is it more than two years that Government is closely watching with interest the progress of the institute?

The Hon'ble Mr. TAMIZUDDIN KHAN: The Government has been watching the progress of the institution ever since it was started.

Mr. ATUL KRISHNA GHOSE: Since the governing body has failed to do the needful to comply with the full requirements of the institute, what was the reason behind that the Government did not take any initiative whatsoever in making it fully equipped?

The Hon'ble Mr. TAMIZUDDIN KHAN: It is not a Government institute but a private institute. The Reorganisation Committee in their zeal to start the school as early as possible did not abide by the Government instructions and gave a premature start and on that account all this difficulty has arisen.

Mr. ATUL KRISHNA GHOSE: If the governing body does not make the necessary equipment complete within a year even, may we know what steps Government intend to take regarding the full equipment of the institute?

The Hon'ble Mr. TAMIZUDDIN KHAN: That is a hypothetical question to which I cannot give an answer.

Mr. ABDUL WAHAB KHAN: Will the Hon'ble Minister be pleased to state what steps, if any, the Government have taken to get back the money which was wasted?

Mr. SPEAKER: That question does not arise.

Mr. ABDUL WAHAB KHAN: I will put it in another form. Will the Hon'ble Minister be pleased to state whether the money that was spent on the scheme without examining the scheme altogether was a wastage or not?

Mr. SPEAKER: I am sorry, that question does not arise. You can draw your own conclusion.

Adjournment Motion.

Dr. SURESH CHANDRA BANERJEE: Sir, I have just now given notice of an adjournment motion.

Mr. SPEAKER: I have just now received it. I have not given my consideration to it.

Dr. SURESH CHANDRA BANERJEE: Then, will you take it on Monday?

Point of Order.

Mr. Speaker's Ruling.

Mr. SPEAKER: Yes. There was a point of order raised yesterday and I think I will give my decision on that point of order first.

The honourable member representing Calcutta East General Constituency raised a point of order yesterday about the legality of the proceedings of the 6th March last. His conclusion was, the proceedings of the 6th of March were "entirely irregular and entirely illegal," and as such he asked me to take suitable steps so that this grave irregularity and illegality might be mended even at this stage.

I have very carefully considered the matter in the light of the provisions in the Government of India Act, the Assembly and the Governor's Rules and I find that I have no power to rectify the proceedings of the Assembly in the manner contemplated by the honourable member. Even if it be conceded for the sake of argument that the proceedings of the day were illegal or irregular, I have absolutely no power now to reopen the question. There is no motion now before the House relating to the grant in question. After once declaring the motion to be carried, I cannot assume by any stretch of argument or imagination that the motion is still before the House. If there was any illegality or irregularity, as is contended by the honourable member, it remains there, until and unless the House is again in possession of an appropriate and fresh motion in the form of a demand for grant to be submitted to the vote of the Assembly. The provisions of the Government of India Act contemplate a further stage in which the question of the legality or otherwise of a vote of the Assembly on any demand for grant may, if necessary, be taken into consideration. Under section 80, the Governor has to authenticate by his signature a schedule specifying the grants made by the Assembly under section 79 (1) of the Government of India Act. Therefore, whether any grant voted by the

Assembly is a valid grant or not, whether the provisions of section 79 have been complied with or disregarded, whether the right of the Assembly to reduce any grant has been infringed or not and as such whether the grant is *ultra vires* or not, the appropriate authority to consider these questions with reference to a grant which has been declared to have been passed is the Governor in exercise of his power under section 80 of the Government of India Act and not the Speaker.

But in order that there may be no doubt on the points raised by the honourable member I may state that I do not agree with him that the proceedings of the day were in any way irregular or illegal. Under section 87 (2) of the Government of India Act, the validity of any proceedings cannot be questioned anywhere on the ground of any alleged irregularity of procedure; under rule 3 of the Assembly Rules the time of commencement of a day's sitting is specifically provided, but not the hour or time for the end of a day's sitting and the Speaker has absolute power to adjourn the Assembly at any time he chooses. Under rule 16 he has full power to preserve order, has all powers necessary for the purpose of enforcing his decisions on all points of order and can in the case of grave disorder suspend any sitting for a time; under rule 116, he may by orders provide for matters for which no provision is made in the rules and may give such directions to give effect to the rules of the Assembly and his own orders.

Under rule 128, in any case of doubt arising as to the interpretation of the rules of the Assembly, the decision of the Speaker is final. The cumulative effect of all these rules taken together mean that on any sitting day of the Assembly, the Speaker has the right to adjourn the Assembly at any time, without question. For reasons which need not be gone into, I decided to adjourn the Assembly on the day in question. The demand for General Administration grant had been before the House for two days and as such under Governor's rules *every question necessary to dispose* of the demand under discussion must be put before the Assembly before I could adjourn. That was incumbent on me. We have, therefore, to decide the meaning of the term "every question necessary to dispose of the demand." As I intepret the rules, it means the motions actually moved before the House in a particular demand and cannot mean those motions of which merely notice of intentions to move was given by the members and had not till then been moved. The Speaker cannot put the questions which have not been moved. They were not before the House and were not questions to be put before the House within the meaning of the Governor's Rules. As a matter of fact, notices of 237 cut motions were given by the members on the General Administration Demand. Only two were moved, leaving a balance of 235. Supposing the Speaker had to put all these 235 items before the House and on every item division was demanded. Once the

division is demanded, the Speaker has no option left in the matter. Every division takes at least ten minutes. The process would last 2,350 minutes or near about 40 hours. It would neutralise the very purpose of the Governor's Rules to finish each demand within a specified time. To speak in a familiar language, therefore, the rest of the cut motions notified but not moved were guillotined. That is the practice which is being followed in this Assembly and every other legislature. Honourable members may remember that during last four years, at the end of the maximum time-limit reached in any grant or on the last day of the days allotted for the voting of grants, no reference whatsoever is made of the many hundreds of motions which appear in the list of cut motions. On this particular day in question, therefore, only two cut motions and the main motion were before the House and they were put before the House. Therefore every question necessary to dispose of the demand under discussion was put before the House. The right of the Assembly as contemplated in section 79 of the Government of India Act or any of the Governor's Rules was, therefore, in no way contravened. As I said before, there is nothing in the rules by which the Speaker was bound to continue the day's sitting till 8 p.m., or must necessarily allow the other cut motions to be moved if the Speaker had decided to adjourn the House at a particular time on that day or must allow any further opportunity to the members to move the other items or must give an opportunity to the House to pronounce its opinion upon these items. On these grounds, I have absolutely no doubt in my mind that the proceedings of the 6th March were regular, valid and legal and not *ultra vires* or irregular.

Mr. SURENDRA NATH BISWAS: On a point of order, Sir. The question was——

Mr. SPEAKER: I am sorry, on this point I cannot allow any discussion.

DEMANDS FOR GRANTS.

37—Education—General.

Miss MIRA DUTTA GUPTA: Mr. Speaker, Sir, I beg to move that the demand under the head "37-F—Education" be reduced by Rs. 100.

I have been seriously thinking for some time like many others on this side of the House whether it is worth while raising any debate on the budget, knowing as we do what the result would be. I felt, however, that I should be failing in my duty if I do not draw the

attention of the House to the inadequate provisions made in the budget for primary education which next to "*dal bhat*" is admittedly the crying need of the people both in the towns as well as in the countryside.

Sir, about a quarter of a century ago, the then Government of the province deputed Mr. Biss of the Education Department to investigate and advise the Government on the ways and means of making primary education free and compulsory. Mr. Biss made an elaborate survey of the situation and submitted a report containing recommendations which were accepted in those days as practical. It apears that in the beginning the Government showed some enthusiasm and a number of free primary schools were started in some districts with the Government sharing the costs in equal proportion with the local bodies. But very soon there was a halt and the Government failed to keep pace with the progress made by the local bodies in this direction. Money was available for all possible things except education and sanitation. Since the Morley-Minto Reforms, various new taxes have been introduced—increase in court-fees, amusement tax, tobacco tax, etc.—yet the nation-building departments are starving for want of money. The provision under head "37-II" is practically the same as in the revised budget of 1939-40, and the provision for grants to local bodies for primary education shows an increase of a paltry sum of Rs. 11,000 only. It would have been better if the Biss-Scheme schools had been shown separately so that the House could have been in a position to make out how far the principle of making primary education free is being put into practice. It is good that an increased provision has been made for training of teachers, but I would ask in all seriousness that special attention may be given to see that this additional provision may be utilised with an eye to quality and not quantity alone. Mere turning out teachers is not enough. Whether their training is good, bad, or indifferent, you cannot expect these teachers to work efficiently and satisfactorily so long as they have to depend on miserable pittances given to them as salaries. Is it not a shame that a person on whom rests the training of young boys and girls has to work on a pay of Rs. 8 or Rs. 10 per month? Is it not a shame that there is not even a provident fund for him to fall back upon on retirement?

I regret to say, Mr. Speaker, that this Government has made no provisions to improve the conditions of work of these poor people on whom rests the training of our future generation. Surely, they are entitled to at least a living wage. I feel that the only solution is retrenchment of personnel and reduction of salaries, if need be, at the top. Professors with a salary of Rs. 2,000 or Rs. 1,500 are a luxury in a system where those in the lowest rank do not get even Rs. 15 or Rs. 20. The Government grant for primary education has always been based on the assumption that the poor village teachers are destined to

supplement their income by begging. Mr. Biss tried to improve the position to a small extent, but even his recommendations have been reduced to a dead letter. We want not only more schools and more teachers but the teachers must be well equipped and well paid. Let the Government strike out a bold policy in the matter of primary education. Mere tinkering would not be of any use. Money must be found. The Hon'ble Minister for Education would do well to make a serious effort yet to redeem at least one of his election pledges. If he seriously sets about the task of introducing universal primary education for the province we, on this side of the House, would extend to him our willing co-operation. The present budget provisions give no indication that he has any such desire or inclination.

Babu PREMHARI BARMA: Mr. Speaker, Sir, I have a similar motion standing in my name as the motion which has been moved by Miss Mira Dutta Gupta. I, therefore, support the motion moved by Miss Mira Dutta Gupta.

Primary education is the crying need of the province. About this all sections of the House, I think, will be of the same opinion. We have been hearing during the last three years that the present Government is going to devise ways and means for meeting this demand of the public of Bengal. But, Sir, though three years have already passed, nothing whatsoever has been done by the Hon'ble Ministers to meet the urgent demand of the public.

Sir, free compulsory primary education is not only a primary need of the people of rural Bengal, it is also the primary duty of all Governments to give free primary education to the children of those whom they govern. Sir, before the general election the Hon'ble Ministers and the members who support them, declared at the top of their voices that they would introduce free compulsory primary education without taxation if they were returned. But, Sir, it is strange that the Hon'ble Ministers have totally forgotten their election pledges and have been shelving the matter on the ground that money is not available. With regard to money I beg to submit that the Government has been receiving a large share of jute export duty from the Central Government. It should be remembered that when this duty was wholly appropriated by the Central Government, then also the administration of the province was carried on without much hindrance. A few years before the inauguration of Provincial Autonomy, this jute duty came to Bengal as a windfall. But instead of applying this jute duty to the benefit of those for whose toil and labour this huge amount of more than two crores was possible, Government is applying this huge amount for the ordinary purposes of the Government.

Sir, this jute duty is certainly the outcome of the labours of the tenantry of Bengal and, therefore, this huge sum of money really belongs to them. I, therefore, urge the Government to earmark this amount for the education of the children of tenants, peasants and labourers of Bengal. By not applying this sum solely for the benefit of the peasants, labourers and tenants of Bengal, Government is not doing the right and proper thing. If this amount of more than two crores of rupees is wholly applied for free primary education then the question of shortage of fund will be solved to a great extent. Again, Sir, the Hon'ble Chief Minister expressed his opinion and the opinion of the Government on more than one occasion on the floor of this House and outside that free compulsory education without taxation is not at all possible

Sir, with regard to taxation I beg to submit that people are already burdened with various taxes and it is beyond the capacity of the tenants of Bengal to bear the education cess. Sir, if taxation is at all needed and unavoidable then tax only those who can afford to pay, but do not levy this education tax on the poor agriculturists of Bengal. Let the education tax be paid by those who had been exploiting the agriculturists so long and who by exploiting the agriculturists have become fattened. If the Government and the Hon'ble Ministers want to be true to their election pledges and if they also want to be true to the people of Bengal, then they should not delay any longer to take immediate necessary steps for introducing free compulsory primary education without taxing the poor agriculturists.

Mr. ABDULLA-AL MAHMOOD: Mr. Speaker, Sir, I do not intend to offer a general criticism on the education budget I only want to draw the attention of the Hon'ble Education Minister to certain points, and I hope that he will take those points into his serious consideration. Three years have already passed and we have seen the progress we have made in the problem of primary education. Every time the budget comes before us, we hear that there is want of funds and so this serious and important problem could not be tackled in the way in which it ought to. We know that special officers have been appointed to investigate or to find out ways and means as to how the problem of primary education can be best solved. I put a question in the last session of the Assembly to the Hon'ble Minister asking him to inform the House as to the nature of the special functions those officers are to perform. Certain functions were enumerated in answer to that question. We were very much disappointed to the answers given. With regard to primary education I may point out and say to the House that the question has not been examined at all and the resources for finding out money have not been properly tackled. I should say that the question has not been given the serious thought it demands.

In this connection I may point out or suggest to the Hon'ble Minister that the special officers should be asked to tackle problems as to how money can be found. It is no use saying that there is want of funds and so the problem cannot be solved, and primary education could not be given. I suggest to the Hon'ble Minister that the special officers should be asked to find out deficit if the education cess be enforced in the twenty-eight districts of Bengal, and the Primary Education Act be given effect to in its full swing. I also ask the Hon'ble Minister to inform this House whether the special officers have been instructed to find out which of the sources should be tackled for meeting the demand for primary education. I suggest that the Hon'ble Minister in charge of Education will take into consideration whether this issue can be tackled and whether money can be found from the following sources. I may cite by way of illustration that the Calcutta Improvement Trust has been given Rs. 12,50,000 from the jute cess. I claim that this is a sum which legitimately belongs to the peasantry of Bengal. We do not know why this money has been diverted to the General Administration for the benefit of the people of Calcutta. Why the rural people have been deprived of their rightful dues and the money is spent for the luxury of the people living in Calcutta. I invite the attention of the Hon'ble Minister to see whether this money can be earmarked for primary education or not. I also want him to see whether there can be imposed a terminal tax and whether a tax can also be imposed on agricultural income. I also request him to see whether legislation can be so framed or whether the existing Village Self-Government Act can be so amended as to empower Union Boards under section 30 (*b*) to assess taxes for education so that the tax assessed or realised under these heads can be utilised for this purpose. There are other sources also, namely, the Primary Education Act should be amended to make it applicable to Calcutta Corporation and Municipalities of Bengal. The Corporation of Calcutta must pay the costs for the maintenance of the Calcutta Police as Union Boards pay for chaukidars. I believe a huge amount may easily be available from these sources. The attention of the Hon'ble Minister is seriously drawn to this aspect of the question. The special officers may be asked to give serious consideration and thought to these matters and to advise the Government if money can be found from those sources or not.

Mr. MAQBUL HUSAIN: Sir, I beg to move that the demand of Rs. 1,53,36,000 under the head "37—Education—General" be reduced by Rs. 100.

ইং ১৯৩৮ সনের ২৪শে আগষ্ট ডাঃ মিঃ হৈছেন আবদুল মজিদ নিম্নোক্ত প্রস্তাবটি বঙ্গীয় ব্যবস্থা পরিষদে উত্থাপন করিয়াছিলেন এবং উহা পরিষদের সেবকগণ দ্বারা সর্ব্বসম্মতিক্রমে গৃহিত হইয়াছিল।

"This Assembly is of opinion that immediate steps be taken for the introduction of free and compulsory primary education in the province of Bengal including Calcutta and all other municipal areas and that while all parts of the province both rural and urban including the city of Calcutta should be called upon to contribute to the cost of primary education and should be included within the scope of one single Act, the cultivators of the province should be excluded from the burden of any such taxation on the ground that they have to bear an additional commodity tax on jute yielding an annual revenue of 3·50 crores to the Central and Provincial Government."

"কলিকাতা এবং অন্যান্য মিউনিসিপ্যালিটির অন্তর্ভুক্ত সমস্ত অঞ্চলসহ সমগ্র বাংলার পল্লী এবং সহর অঞ্চলে প্রাথমিক শিক্ষা বিনা বেতনে এবং বাধ্যতামূলক করিবার জন্য অবিলম্বে ব্যবস্থা অবলম্বন করা হউক, প্রাথমিক শিক্ষার ব্যয়ের জন্য কলিকাতাতেও ট্যাক্স ধার্য্য করা হউক এবং যেহেতু বাংলার কৃষকগণ পাটের জন্য বৎসরে ৩৷৷০ কোটি টাকা ট্যাক্স দিতেছে, সেই জন্য তাহাদিগকে শিক্ষাকর হইতে রেহাই দেওয়া হউক।"

এই প্রস্তাব সমর্থন করিয়া তদানিন্তন মিঃ তমিজুদ্দিন খান এবং অধুনা মাননীয় মিঃ তমিজুদ্দিন খান, যে সমস্ত বক্তা ইহার বিরুদ্ধে বক্তৃতা দিয়াছিলেন, তাঁহাদিগের প্রতি বিদ্রূপ করিয়াছিলেন এবং তিনি উক্ত প্রস্তাব সমর্থনে জোর গলায় বক্তৃতা দিয়াছিলেন। এ সম্বন্ধে তাঁহার এখনকার মতামত কি তাহা আমরা জানিতে উৎসুক। প্রধান মন্ত্রী মাননীয় মিঃ ফজলুল হকও উক্ত প্রস্তাব সমর্থন করিয়াছিলেন। দেড় বৎসরেরও অধিক সময় অতিবাহিত হইল আজ পর্য্যন্তও উক্ত প্রস্তাব কার্য্যে পরিণত করা হইল না। শিক্ষা বিভাগের মন্ত্রী মাননীয় মিঃ ফজলুল হক কি জনসাধারণকে মূর্খ রাখিতে চান? তিনি কি জনসাধারণের অশিক্ষার সুযোগ গ্রহণ করিয়া চিরকাল দেশের উপর মাতব্বরী করিতে ইচ্ছুক? তিনি যদি এ আশা করিয়া থাকেন তবে সম্পূর্ণ ভুল করিবেন। তাঁহার জানা দরকার যে, এভাবে মানুষকে জাহেল রাখিয়া বেশী দিন নেতাগিরী করা যাইবে না। প্রাদেশিক স্বায়ত্ত-শাসন প্রবর্ত্তিত হওয়ার পূর্ব্বে ইং ১৯৩০ সনে প্রাথমিক শিক্ষা আইন পাশ হয়। উক্ত আইনে কৃষকের উপর ট্যাক্স ধার্য্য হওয়ায় মিঃ ফজলুল হক সেই সময়ের মন্ত্রী-সভাকে এই ট্যাক্স ধার্য্যের জন্য দোষারোপ করিয়াছিলেন এবং উক্ত আইন প্রবর্ত্তনে বাধা সৃষ্টি করিয়া ৯ বৎসর পর্য্যন্ত ইহা আটকাইয়া রাখেন; কিন্তু তিনি নিজে মন্ত্রী হইয়া সেই পুরাতন আইনই কোন পরিবর্ত্তন না করিয়াই কার্য্যে পরিণত করিলেন। তাঁহাকে জিজ্ঞাসা করি তিনি এই দীর্ঘ ৯ বৎসর পর্য্যন্ত এই আইন প্রবর্ত্তনে বাধা দিয়াছিলেন কেন?

প্রাথমিক শিক্ষা আইন বাধ্যতামূলক করা হয় নাই। কেবল ইহা বিনা বেতনে প্রবর্ত্তন করার ব্যবস্থা করা হইয়াছে। এবং সঙ্গে সঙ্গে কৃষকদের পাওনার উপর টাকা প্রতি ৷৷০

পয়সা ও জমিদারদের খাজনার উপর টাকা প্রতি ১৷৷০ পয়সা করিয়া ট্যাক্স ধার্য্য করা হইয়াছে। কৃষক দরিদ্র, তাহার পেটে অন্ন নাই, পরণে কাপড় নাই; তাহার উপর জমিদারের দ্বিগুণেরও অতিরিক্ত কর ধার্য্য হইল কোন যুক্তিতে?

প্রাথমিক শিক্ষা বাধ্যতামূলক না করায় ইহার ফল এই দাঁড়াইয়াছে যে, শিক্ষার প্রতি কৃষকগণ আগ্রহশীল নহে বলিয়া তাঁহারা শুধু শিক্ষাকরই দিতেছে; কিন্তু ছেলেমেয়েদিগকে লেখাপড়া শিখাইতেছে না। দরিদ্র কৃষকদের উপর শিক্ষাকর না বসাইয়াও প্রাথমিক শিক্ষা অবৈতনিক ও বাধ্যতামূলক করা যাইতে পারে। সরকারী প্রাথমিক শিক্ষা-কমিটির ১৯৩৯ ইং সনে প্রকাশিত রিপোর্টের প্রথম খণ্ডের তৃতীয় পৃষ্ঠায়, কমিটি, সার্ব্বজনীয় অবৈতনিক প্রাথমিক শিক্ষার বার্ষিক খরচ ৫ কোটি হইতে ৬ কোটি হইবে বলিয়া নির্দ্ধারণ করিয়াছেন। কৃষকের উপর ট্যাক্স না বসাইয়াও ইহার অনেক অতিরিক্ত টাকা অতি সহজে সংগৃহীত হইতে পারে।

প্রাদেশিক স্বায়ত্তশাসন প্রবর্ত্তিত হওয়ার পর ভারত গভর্ণমেণ্ট বাংলা গভর্ণমেণ্টকে বার্ষিক পাটের ট্যাক্সের ৩৷৷০ কোটি টাকা দিয়া আসিতেছেন। এই টাকা প্রাথমিক শিক্ষার জন্য রাখা যাইতে পারে। গভর্ণমেণ্ট বর্ত্তমানে প্রাথমিক শিক্ষার জন্য ৩৩ লক্ষ ৬৭ হাজার টাকা দিতেছেন। কলিকাতা এবং অন্যান্য মিউনিসিপ্যালিটির অন্তর্ভুক্ত অঞ্চলে ২ হাজার টাকা আয়ের উপর শিক্ষাকর ধার্য্য হইলে, ২ কোটি টাকা পাওয়া যাইবে। সরকারী হিসাব মতে জমিদার প্রজার নিকট হইতে যে ১৮ কোটি টাকা (আমাদের হিসাব মতে ইহার ৩ গুণ) খাজনা আদায় করেন তাহার উপর টাকা প্রতি ১৷৷০ পয়সা করিয়া ট্যাক্স ধার্য্য করিলে ৪২ লক্ষ টাকা আদায় হইবে। সাধারণ শাসন বিভাগের খরচ ১৮ লক্ষ টাকা কমাইবার জন্য (Swan) সোয়ান কমিটি সুপারিশ করিয়াছিলেন। কিন্তু বাংলার মন্ত্রীসভা মাত্র ১ লক্ষ ১০ হাজার টাকা খরচ কমাইয়াছেন। উক্ত বিভাগের খরচ কমাইলে ১৬ লক্ষ ৯০ হাজার টাকা পাওয়া যাইবে। অনাবশ্যক দপ্তরখানায় কর্ম্মচারীর সংখ্যা প্রয়োজনের অতিরিক্ত হওয়ায় (Swan) সোয়ান্ কমিটি ঐ বিভাগের কর্ম্মচারীর সংখ্যা কমাইবার জন্য সুপারিশ করিয়াছিলেন। তাঁহাদের সুপারিশ অনুযায়ী কার্য্য করিলে ২০ লক্ষ টাকা বাঁচিয়া যাইবে। সোয়ান কমিটি ৫ জন বিভাগীয় কমিশনারের স্থানে ৩ জন করিবার সুপারিশ করিয়াছিলেন। এই সুপারিশ অনুযায়ী কাজ করিলে ১ লক্ষ ৭২ হাজার টাকা বাঁচিয়া যাইবে। এইভাবে ৬ কোটি ৬৪ লক্ষ ২৯ হাজার টাকা পাওয়া যাইবে এবং উক্ত টাকা দ্বারা গড়ে প্রত্যেক ইউনিয়নে ২১টি স্কুল স্থাপন করিয়া, প্রাইমারী শিক্ষা, কৃষকদের উপর ট্যাক্স না বসাইয়া অবৈতনিক ও বাধ্যতামূলক করিবার কোনই অসুবিধা হইবে না। আমি মনে করি বাংলার নিরন্ন, মূক, কৃষকদের অশিক্ষা দূর করিবার জন্য মাননীয় শিক্ষা-মন্ত্রী সাহেব অনতিবিলম্বে ব্যাপক পরিকল্পনা লইয়া কার্য্যক্ষেত্রে অবতীর্ণ হইবেন।

Dr. NALINAKSHA SANYAL: Sir, I rise to support the motion of Miss Mira Dutta Gupta more with a view to draw attention to some other aspects of the question than to emphasise what has been very clearly put by my esteemed colleague.

Sir, it has been my misfortune that whenever I speak anything or do any act I am misunderstood. I hope the Hon'ble the Chief Minister will pardon me to-day and see if he can get some little light in the suggestions that I have got to put forward. The proposition made by Miss Dutta Gupta primarily relates to inadequacy of provision for primary education. It is quite possible that the Hon'ble the Chief Minister will show the Red Book and point out that whereas in 1936-37 the total amount granted for Primary Education was about Rs. 26·22 lakhs, to-day the amount for this is about Rs. 33·7 lakhs, whereby the grant has been shown to have increased by nearly 7 lakhs of rupees. The position in 1936-37, so far as the revenue was concerned, was that the total amount of revenue of Bengal amounted to Rs. 12·14 crores, whereas the revenue in 1940-41 is calculated to be Rs. 13·97 crores or nearly Rs. 14 crores. On a comparison of the revenues of the two years our honourable friend Dr. Syamaprasad Mookerjee pointed out yesterday how in percentage the allotment for education works out at something less this year in proportion to the total revenue of the province, so far as the figures in 1940-41 budget show as compared with those of 1937-38. The budget grants for primary education also prove on similar comparison the inadequacy of the provision.

Now, Sir, so far as Primary Education is concerned, probably all our friends will bear me out, that there has been no set and definite policy regarding the extension of primary education in the province so far. We have got several different sources from which money comes and several different directions through which money is spent on account of Primary Education. The number and nature of the institutions vary widely. We have for example, got certain direct Government primary schools and certain non-Government primary schools which obtain contribution from Government directly and there are also others which are helped by local bodies such as District Boards, District School Boards as well as by the Municipalities concerned. The position to-day is not one in which one can see a complete picture, a plan, a scheme, to which all these different kinds and classes of institutions can be fitted in as forming some kind of definite and connected nucleus in a connected whole.

I submit, further, that so far as the quality and method of teaching go and the curriculum, and the selection of teachers are concerned, a good deal remains to be done and much material has to be examined. In these various classes of institutions we do not as yet know whether there is any one system followed or there is difference

in the standard followed by the different classes of institutions. The municipal schools have got certain line of approach, the primary rural schools have got yet another line of approach. So far as the Government Primary Schools are concerned, as they obtain direct contributions from Government, it was to be expected that they would give a lead to other schools in the matter of teaching. But nothing of that sort is to be noticed. I understand that last year a Primary Education Committee sat to examine the whole question and a report was submitted. We do not yet know what has come out of that report and what Government propose to do as a result of the recommendations contained in that report. I am told that there were certain educationists in that Committee who found serious difficulties in accepting some of the suggestions contained in the report, particularly those relating to religious training and the manner in which an attempt has been made to have the two communities, particularly the two major communities, separately taught in different classes of institutions. On the floor of this House members after members have pointed out what baneful effect this has on the building up of the nation as a whole. I submit that if education has got to be imparted to our children to make them fit for citizenship in future, let religion not form a part of it at all. Let religion be taught at their homes if they have got to follow a particular creed or a particular line of theology. In religious matters let the parents take the responsibility and not the State.

Sir, in any scheme for the expansion of primary education one essential requirement is that we have got to train up a certain number of teachers. In the note that you, Sir, prepared a few years ago, you pointed out that if we do not want our primary schools to degenerate into so many cow-sheds where boys and girls are huddled together with no actual ideal of education laid out before them, then we must have proper teachers to take charge of them. In the making of the teachers remains one of the most fundamental duties of the Government. I would like the Hon'ble the Chief Minister to state what steps have been taken in that direction. There was an amount provided in the last year's budget for the training of teachers—1,37,000 for the scheme of training primary school teachers; but unfortunately that amount could not be spent. Rs. 63,000 out of the amount provided could not be spent. And may I enquire what was the scheme on which the money was proposed to be spent? When was the scheme approved of? And with hardly Rs. 70,000 spent for the scheme in the current year how many teachers could you think of having trained for the whole of Bengal? I would like specific and definite answers from the Hon'ble the Chief Minister with regard to these questions.

Sir, we have heard a lot about the manner in which money is spent, how scholarships are awarded and stipends are given. On many occasions we found that people even of the same community for the benefit of whom stipends and scholarships are awarded do not feel satisfied. I am not quite aware if that is true, but most probably these stipends and scholarships are not always given on the merit of the scholars, but on some other consideration. Mere giving of scholarships in this manner will not help the situation. Where is the arrangement for the expansion of primary education in a manner which the country so much needs? Two years ago I laid an humble suggestion before the Hon'ble the Chief Minister. At that time he was pleased to remark that if there was anything practicable he would examine the scheme. The scheme in its bare outline referred only to one essential fact, namely, that Government may utilise the services of the high school students in the districts who may go about in the interior of the rural areas during the recesses and holidays—and you know that they have holidays of about five months a year—, to educate the masses and to have as many primary schools started by themselves with their own efforts during those holiday months as practicable. The students might thereafter come back to the cities and they can approach the respective authorities to give succour to those primary schools that they had started. In many cases there are suitable young men living in the rural areas who might with just a little inducement be influenced to take up the task of teaching in the primary schools in those rural areas. Why not harness all these forces for furtherance of the cause—non-official forces, the forces that had hitherto made primary education possible in the province? Why not make proper use of them so that Government may put all the energy that they can get from non-official sources into one big scheme for expansion of primary education within a reasonable time in the entire province of Bengal? Ten years ago, when I came back fresh from Europe with new ideas and vigour, I tried in a humble way in the district of Murshidabad to introduce something like that and on a suggestion being made by the district board there I came and demonstrated to the satisfaction of the district board authorities that within ten years the district board could have as many schools as there were villages, with hardly ten per cent. increase in the actual expenses on account of primary education. My proposal was to harness non-official agencies as much as possible so that primary education could be arranged economically. But unfortunately for me the Government Inspectors stood in the way. They thought that they could not possibly undertake the responsibility of supervising such number of schools and the scheme had to be dropped. May I humbly submit to the Hon'ble the Chief Minister to apply his mind once again and see if all the forces could be harnessed together, because in this particular respect all sides of the House are unanimous.

Mr. SPEAKER: I think it is better that I would try to get an indication from the House as to how we should proceed on this debate. We have got two other demands to-day—Registration and Scientific Departments. Will it be agreeable to all sides if I close "Education" at 12-30 so that half an hour may be left for "Registration" and half an hour for "Scientific Departments"? So far as primary education is concerned, I feel that we can close it at 12 o'clock leaving half an hour for members who what to discuss other general questions on education, even though, I admit, it is too short and the members may not move their motions. For example, I find that there are certain motions, such as "Pay and Prospects of teachers", "Selection of Text Books" and so on. I think members who have tabled cut motions instead of moving them may speak on the general subject so that it may serve the purpose of drawing the attention of Government to their points of view. Will it be convenient if I close the debate at 12?

Mr. JOGESH CHANDRA GUPTA: Let it be 12-15, because there are many members on that side of the House who will want to speak on primary education. So, if we go up to 12-15, I think that will be all right.

Mr. ABDULLA-AL MAHMOOD: Will there be any time left for adult education?

Mr. SPEAKER: I am not concerned with adult education or anything. You can speak on whatever you like. The debate on primary education will be closed at 12-15.

Maulvi AHMED ALI MRIDHA: Mr. Speaker, Sir, I join my voice with what has fallen from my honourable friend Mr. Abdulla-al Mahmood and I say again that if there is any sin committed by the State it is the neglect on the State's part to impart primary education to the boys and girls of the country. Our friends of the White Race while they were in charge of the administration were always negligent with respect to these clear duties. They never cared to see that our boys get even the little of education known as primary education. We have also seen that the present Ministry also for the last three years have not been able to do much in this direction. Although, Sir, I do not move the motion that stands in my name, I cannot help making some remarks with regard to this particular matter. I told you, Sir, the other day, that Rs. 2,20,00,000 the first item of income in the budget under the head "Customs" is altogether the poor man's money, cultivator's money and nobody else could lay claim to the ownership of this money. I also said, Sir, that there

was a deficit in the budget up to the year 1933-34 and this amount of Rs. 2,20,00,000 went to make up the deficit of that budget. I am of very strong opinion that this money should not and could not go to make up that deficit budget. If at all it had to be spent it would have to be spent only for the benefit of the rural folk of Bengal. Sir, it was the clear duty of the Government to earmark this money for imparting primary education throughout the country taking this amount to be the contribution made by the agricultural section of the population. With this view to-day, Sir, I do assert that this money should be allowed by everybody to be spent for the spread of primary education. Let there be a deficit in the budget, and this deficit may be reconciled in any way by any income that may be had from any direction. Sir, in the city of Calcutta we see that the Calcutta Police is being maintained by the State and the municipalities also enjoy police help, police service, but the expenditure incurred on this account is met from the provincial exchequer, while the village folk are helpless entirely. Dafadars and Chaukidars are paid from the Union cess under section 37A of the Village Self-Government Act. Sir, it cannot be reconciled how the Government in charge of the people of the entire country can make a differential treatment between two classes of people—the richer people living in towns and the poorer people living in the mofussil villages. They are neglected, they are ignorant, illiterate and helpless; they are treated shabbily by others. My idea is that what is sauce for the gander should be sauce for the goose also. The town people must pay for their police so long as villagers pay for their own. We can thus get something at once. This money can be well spent for primary education. The State has no duty at all for the improvement of the city of Calcutta, to make palatial buildings at the cost of the villagers' money.

Then, Sir, my friend has said that the Calcutta Improvement Trust gets a huge sum of money from the Customs Duty. This money must be at once released and must go to the poor villagers in the villages. If the India Government could be induced to impose a tax to build a big bridge over the Ganges and a terminal tax is imposed on the Railway traffic, then there is no reason why we cannot request the same Government to permit the Bengal Government, or the Bengal Government of their own initiative to impose some tax in addition to the terminal tax, to supply funds for primary education. It is an indirect tax and which may ultimately have to be paid by the villagers themselves. In that way money, a large sum of money, may come and we can utilise that money for the benefit of the villagers.

Then, Sir, there is the Share Market where transactions of crores and crores of rupees take place. Then there is also the Fatka market. If we impose tax on them we can have enough money there. There is also the race-course. Sir, I do say that there are many sources of,

revenue by which we can just make up our deficit. Let there be a taxation on all these and we shall have primary education in no time. I know, Sir, and the Hon'ble the Chief Minister also knows very well where the money can be had from. He is shirking his responsibility in that respect. I do not say that he is hoodwinking the people, for that would be a very cruel expression on my part, but I must say, Sir, that the Hon'ble the Chief Minister has neglected his duty so far as primary education is concerned. He must have some imagination and must tackle the problem in the right spirit. We do not grudge any taxation that he may impose. He has got the heart, he has got the mind and the brain; only let his own intelligence be applied for the benefit of the people. If he has neglected his duty in this respect, I must confess that he has done much and he is also doing much. Let him do this. Of course, if he imposes taxation, a section of our friends may be annoyed. Let them be dissatisfied if they so will. But it is the great good coming out of it which will compensate the Chief Minister and the displeasure will be counterbalanced by another thing which would be the pleasure of 99 per cent. of the people I would appeal to the Chief Minister to have imagination, not to hesitate to impose any taxation. If needs be, impose direct taxation, impose taxes even on agricultural income, on more than what is required by the people just for their maintenance. I mean, Sir, that taxes can be imposed on agricultural income within certain limits, that limit may be either Rs. 1,000 or Rs. 2,000. But a very good sum of money can be had in that way. There will be no dearth of money. The money thus realised from the zamindars and the tenure-holders may be utilised for improvement of the vitals of the nation The zamindars are squandering away their money. If they persist in living in this luxury in the city of Calcutta, there is no reason why they should not be taxed. Let big zamindars and big tenure-holders pay something extra for the sake of the poor, because the money that comes to the hands of the landlords and zamindars is ultimately the cultivator's money; the revenue that comes to the State, about 3 crores of rupees, is the cultivator's money which he gets by the cultivation of the land. If that money comes to the State, if the whole amount of money that is got by the zamindars and tenure-holders from the cultivators comes to the State, I presume it would amount to 17 or 18 crores of rupees. Rather I think much above this figure comes to the coffers of the tenure-holders and zamindars from the cultivators. That money is the people's money and must be spent for the people.

(At this stage the member reached the time-limit.)

Sir, may I speak one word more on teachers?

Mr. SPEAKER: I am sorry, I cannot allow you any more time.

Mr. W. C. WORDSWORTH: Mr. Speaker, Sir, I begin with a word of tribute to Miss Dutta Gupta. I regret I was not able to be present when she spoke. I know her ability in scholarship and exposition, and I am sure that it was an admirable beginning to an important debate.

Before I go on to the general subject, I wish to ask the Hon'ble the Chief Minister one question. This Group has been asked by some of its constituents why in collecting the education cess questions are asked about their incomes. They contend that in the present constitution a man is supposed to give information of his income only to two authorities, viz., the Government of India Income-tax Department and his wife. (Laughter.) It is an annoyance and a nuisance where a third person comes in with an inquisition that apparently is an imposition. It is not that they have anything to hide. Most of them say that their incomes can effectively conceal themselves without any special effort on their own part. But they would like to know why this is done, because no one in Mymensingh can apparently give them an answer. Perhaps the Government will give an answer sometime soon.

Now, Sir, I come to the general subject. Primary education is a mighty problem, and I don't think this House has ever regarded it in its proper dimensions. Relation between resources and need is fairly constant from year to year. So the problems are the same, our approach to them is the same, our arguments and our language are generally the same. That might be boring if it were not that we have the capacity for cheerfully forgetting everything that we have said and heard when a session is over. So, we come back fresh to the same problem.

We want more money. Now let that be taken as the fundamental proposition in our primary education. We want more money. But we can do a lot with that we have, and I believe the Government is doing a lot with what it has. I think we should not be critical and captious, just because great things cannot be done immediately. We should be grateful when we see some progress year by year in any department, in any sphere of education, and let us not be too insistent on schemes, big schemes, new schemes and approved schemes. If a few schools are built, if a few schools are improved, if a few teachers get a little more pay and a little more comfort in their lives, let us be grateful for that, however much we may desire more. We want more money, and we hear proposals about doing with less. We hear proposals about getting rid of the cess that in this House we have already decided to gather. Free, compulsory, universal, these are the common words. But how many people ever put this question to themselves: how, with our resources as they are, can we get free, universal and compulsory

Primary education? We are not dealing with two thousand children; we are not dealing with twenty thousand children; the children that we have to deal with number between 5,000,000 and 6,000,000 between the years of about six and ten. How then are we going to get them to school even with the money that we have? And how will we get them to school if we give up the cess and pretend that we can make it good from other sources?

Mr. M. SHAMSUDDIN AHMED: Would you mind telling us what happened in England in 1871?

Mr. W. C. WORDSWORTH: I am sorry I have no time to tell you all that. I will tell you the gist of what happened. In 1871, education was made compulsory. The cost was divided between the Central State and the local people. It was free education,—not then; some twenty or thirty years later it became free—free only in the sense that boys and girls paid no weekly fees, but their parents paid The cost of primary education in England to-day is about £70,000,000, of which local authorities find about £40,000,000 and the State more than £30,000,000. I may add that I, in Calcutta year after year with a house in Hampshire, pay rates in England every year because I have that House, and I think of my rates £10 or £15 every year go for the education of small boys and girls in our local village school which I see once in four or five years. Free education does not mean that the people at large do not pay for it. It means that they pay in one way instead of another. We have been told, and we are told year after year, that we can find the money we need by contrivances By deprovincialisation of Government schools, which if it comes about, as it must come about some day, will mean only Rs. 4 or 5 lakhs more for certain purposes. We are told that we can meet the cost by divergence of some fund or other to that purpose. Now let us rid ourselves of the idea that we can educate 6 million people by small stratagems, small reappropriation, by small ingenuities of any kind. We want three, four or five crores of rupees. How are we to get it? Let us not keep deluding the villager that he can get all the schools the province wants and be excused from any direct contribution. I wish I could see any way in which he could. You may put the problem in this way. Primary education means the education of about 90 per cent. of the people in the province, and the proposal of some members is that this 90 per cent. should be excused from any contribution towards it, and that the whole cost should be met by the 10 or 5 per cent. others, the professional classes, the land-owning classes, and generally the classes who while contributing to primary education also maintain the chief burden of the secondary school system out of their own purse.

All this is bewildering make-believe. I think this House can do something useful. We can earn our Rs. 150 a month by spreading accurate knowledge about the dimensions of the problem, by letting people see that we are up against a painful difficulty. I think that if we pretend that we can find the money for primary education in this province by removing a few lakhs from this place to that place, we shall be doing a great disservice to the province today and to many generations to come. Free education does not mean that nobody pays for it. It means only in general practice that school children do not pay weekly or monthly fees, but their parents pay in the shape of rates. And any system for the country as a whole must be paid for by the country as a whole.

The Minister for Education cannot always be quite candid. He is in a difficult position; he has to get all the value that he can out of these words "free", "universal" and "compulsory". I can be more candid than he can afford to be. I can point out that these are long range words with no immediate meaning. They are directive ideas. Some day there will be free, universal and compulsory primary education in Bengal. But it is nonsense to blame the Government because it has not produced it in two or three years. I may remind the House, in reference to a question put to me by a member a few minutes ago, that by the law of this country primary education is a responsibility of local bodies, municipalities and district boards, and for fifty years they have not done nearly enough. Why should we blame the Government only year after year for the consequences of half a century's neglect by everyone?

Maulvi ABU HOSSAIN SARKAR : Sir, I support the cut motion.....

Maulvi IDRIS AHMED MIA : On a point of order, Sir. আমি আপনার কাছে একটা নিবেদন জানাতে চাই। ২৯৩ ও ২৯৪ নং মোসন দুটী আমার move করবার কোন সুবিধা হলোনা। আমার একথা জিজ্ঞাসা করবার প্রধান কারণ হোচ্ছে—কি জন্য গণতন্ত্রের দেশে পার্টির উপর সব মেম্বরের সমান অধিকার থাকবে না? মোটামুটি জানতে পেরেছি বজেট যখন গঠন করা হয়, তখন পার্টির অনুমতি নিয়ে করা হয় এবং পার্টির প্রত্যেক মেম্বর সঙ্গে সঙ্গে পুঙ্খানুপুঙ্খরূপে আলোচনা কোরতে পারেন।' (DR. NALINAKSHYA SANYAL : আমাদের এদিকে আসুন সব সুবিধা হবে।) আমাদের পার্টি অবশ্য অল্প দিনের মধ্যে——

Mr. SPEAKER: I am sorry, you cannot discuss the internal administration of your party. But if you want to raise a point of order which you have done, I cannot enter into the reason why the party did or did not do a thing. Have you got anything more to say?

Maulvi IDRIS AHMED MIA : আমি বোলেছি যে আমি আমার জেলার তিন লক্ষ লোকের প্রতিনিধি সুতরাং আমাকে—

Mr. SPEAKER: I am sorry, that is an argument. You have raised a point of order and your point of order is as to whether you are entitled to move an economy cut motion of which you have given notice. I am afraid, that is exactly in the same position as many other motions which have been given notice of. If there is time, you will be able to move. If there is no time, then, as I pointed out in my ruling which I gave about an hour before, it will have the effect of being guillotined. But as to how the party decides the question is a matter which is wholly outside the purview of this House.

Maulvi IDRIS AHMED MIA : এই সম্বন্ধে আমাকে একটা point এ বলবার অধিকার দেবেন——

Mr. SPEAKER: I am sorry I cannot allow this to be discussed.

Maulvi ABU HOSSAIN SARKAR: Sir, I beg to support the motion moved by Mr. Maqbul Hossain because the agriculturists and labourers have got a very serious complaint to make against the Government past and present for keeping them ignorant I shall give a short history of the vacillation and tumbling of the Government with respect to the burning question of the day. The first Primary Education Act was passed here in Bengal in 1919 for introduction of primary education in urban areas in Bengal Some 8 years after that, the first Rural Primary Education Act was introduced in the old Bengal Council by the Hon'ble Nawab Musharruff Hossain as Education Minister. The Bill went to the Select Committee but it subsequently lapsed.

Then again, Mr. McAlpin in 1929 introduced another Free Primary Education Bill in the Bengal Council. That Bill was also sent to the Select Committee and they made their report. The Hon'ble Sir Nazimuddin, the then Education Minister, moved for consideration of the Bill but nobody knows why, it was afterwards withdrawn. Subsequently in the latter part of 1930, the Hon'ble Khwaja Sir Nazimuddin introduced the same Bill and he, of course, expressed some sentiments in order to win over a good number of people of the country. In moving that Bill, the Hon'ble Khwaja Sir Nazimuddin said: "If we want responsible Government immediately, then we ought, without delay, to provide primary education so that when responsible Government is introduced, people are able to exercise their franchise intelligently. If we fail to get this Bill passed in this Council, then it will mean that the demand for the last 20 years for primary education was merely a cheap agitation against Government and not a real demand."

Then again, supporting that Bill, the Hon'ble Mr. Fazlul Huq, then Mr. Fazlul Huq, said: "where is the country in the world, where is the civilized administration which has not recognised its paramount duty to provide for the education of the masses. It is said that the zemindars have not made any provision. Right enough. But what about the responsibility of the Government itself?" Sir, after the expression of all these noble sentiments, a Primary Education Bill was passed with a preamble to which I lay emphasis now. The preamble says: "Whereas it is expedient to make better provision for the progressive expansion and for the management and control of primary education in rural areas in Bengal so as to make it applicable to all children and with a view to make it compulsory within 10 years..." That is the preamble. Sir, when the Bill was going to be passed, a hope was expressed in the Council that it will be made compulsory within 10 years, but unfortunately, after the passing of this Bill, 7 or 8 years passed and Government took no steps in this direction. The only refreshing thing that can be found is that the Hon'ble Mr. Azizul Haque during his short regime as Education Minister made a survey of primary education in the country, but nothing was done in that respect afterwards.

Another thing which I must bring to the notice of the House is that during the passage of the Bill, the landlords of Bengal under the leadership of one of the esteemed gentlemen still in this House, unfortunately, opposed its passage from the very beginning. Now, Sir, a long time had passed and the old Council was dissolved, but nothing was done for primary education. Then the present Constitution came into operation and the present Coalition Government formulated a programme in which also it is found that free and compulsory primary education will be introduced in Bengal without taxing those persons who are unable to bear the burden. Of course, the latter part of the programme was kept beautifully vague. Subsequently, a resolution was moved, I think, by my friend, Mr. Abdul Majid, in which it was clarified that the agriculturists of the country will not be taxed and persons who are able to bear the burden will be taxed in order to introduce free primary education in Bengal.

Then again, Sir, a Committee was established by the present Government in the month of July, 1938. That Committee submitted its report and it has recommended unanimously that free primary education must be introduced at once into the country. It also recommended that compulsion should be introduced as soon as possible, as laid down in the Act of 1930 with this exception that compulsion should not be applied to girls where lady teachers are not provided.

So, I submit that Government have got before it all the materials—they have got the report of the Committee, they have got the resolution of the Assembly, they have got the programme, they have got the Acts

passed long before; then what prevents the present Government from introducing free and compulsory primary education in Bengal? One thing the Government generally complain about and that is money. They say they have no money. I appreciate that the question of finance is a vital question, but is that the only thing that hinders Government from introducing free primary education amongst the masses? Money must come if there be real will. It has been estimated that it will require about 6 crores of rupees to introduce free primary education in Bengal. Of course, it is a big sum. But, may I submit, is it an impossibility for a Government to provide for 6 crores of rupees? Cannot Government float loans in order to have this amount or if they like to tax the people, why don't they come forward boldly with such a Bill? Why do they vacillate, why do they hesitate? What is the difficulty? All sections of the House are of opinion that free compulsory primary education is a necessity in Bengal. Why then do not Government take steps to give effect to that? If they like to tax anybody, let them come forward with the proposal. To say that we cannot find out the money as there is opposition in the country is a lame excuse. Let them be bold, let them come forward with concrete proposals. Let them remember that there is nothing more urgent, more essential than the introduction of free primary education in the country. If there is opposition in the country, why do they mind it—there must be opposition in every good cause. So, I appeal to the Hon'ble the Chief Minister to take up the matter very seriously. If there is any difficulty, let him come forward and speak it out; let him put his cards on the table this time. During the last Assembly session, he boldly stated that he would find out the men who would bear the tax and that he would tax them with vengeance. We waited and waited for full one year and a half and we find that he has not taken any steps to convince us that he is really eager to introduce free and compulsory primary education. He expressed very fine sentiments during his whole life but we do not find him doing anything to realise that into practical shape. I cannot but blame him for thus only expressing sentiments and without doing anything when power comes to him. It is rather a blank shot. Most unfortunately the Hon'ble Mr. Fazlul Huq expressed very bad idea in time of the discussion of the the primary education Bill in 1930. He said "There are occasions on which if we belonged to a certain party we have to surrender our conscience and conscience at times becomes a marketable commodity". I think he does not hold that view now. If he has changed that view let him come forward. Tax or loan or do anything, but let us have primary education free and compulsory.

Mr. S. A. COMES: Mr. Speaker, Sir, I rise to say a few words on the meagre grant awarded to primary education in this province for boys and girls. I know other speakers have expressed their view on

what they consider the inadequacy of grant for secondary and higher education. If the amount to be spent on higher education in Bengal is inadequate that proposed for primary education is absolutely meagre.

The primary section is really the foundation of the educational structure. We all know that in the construction of a building the cost of the foundation is proportionately more than that of the superstructure; hence more money is spent on the foundation. Has this principle been followed by the framers of the budget now under discussion with reference to the grant for primary education? Good secondary education will produce good teachers but if suitable provision be not made for primary education you will not have sufficient number of pupils for the teachers to devote their attention to. The number of pupils, the number of schools to impart primary education, will always be far in excess of those for secondary and college education.

A wise administrator should allot the greater portion of the funds available for educational purposes, to primary education. Has the Hon'ble the Education Minister acted in this way? What does the budget estimate for 1940-41 show? The total amount asked under Education is 1,53,36,000. One-third of this comes to over Rs. 51,00,000. Primary education instead of getting one-third share of the education grant, i.e., over Rs 51,00,000, gets only 33¾ lakhs. I can only say that is a very regrettable state of things. I would request the Minister for Education in future to see that in dividing the Education Grant a more generous award is made to primary schools and that they be not starved out as they have been during the last years.

In this connection, Sir, I ask your permission to read a copy of a letter issued by the President of the District School Board, Dacca. The letter is dated the 27th February 1940 and has been addressed to the authorities of all the Aided Girls' Primary Schools. It reads thus:—

"The authorities of all the Aided Girls' Primary Schools—including Girls' Board Primary Schools—are hereby informed that it is not improbable that the grants-in-aid to their schools will be discontinued from the beginning of the financial year, i.e., 1940-41.

Sd. J. George,

President, District School Board, Dacca".

The 27th February, 1940.

This letter was forwarded to me by the Bishop of Dacca. I ask your permission, Sir, to read the communication I received from the Bishop of Dacca. It is addressed to me. The letter reads:—

"Last evening we received from the Chairman of the Dacca School Board a notification to the effect that in all probability the Board would

be unable to afford any grant-in-aid to the primary schools for girls in the district of Dacca. This communication is very serious for the Catholic Mission, because, as you know, in our community almost all girl children, certainly 85 per cent. of them, attend school until they are fourteen years of age. In the letter which I wrote you yesterday I suggested that you would do what you could to explain to the authorities to increase the grant-in-aid to our girls' schools. It was only in the evening yesterday that this paralysing news which would deprive our girls' school of any help at all, reached me. I am sure you will do what you can to avert such a catastrophe."

The House will see what havoc this letter has done to the educational authorities of the Dacca Division. But as I read the budget for this year I do not see any reason for the issue of such a notice. From the budget estimate is appears that there is no reduction in the amount of grant to be spent on primary education. In fact the proposed grant is more than those of 1938-39 and 1939-40. I would request the Education Minister to look into the matter and ask the President of the District School Board, Dacca, how he came to issue the notice in question and reassure the educational authorities, particularly those of the Christian schools, that the grants for primary girls' schools will be continued.

I do not wish to take up any more time of the House. I close by calling upon the Hon'ble Education Minister to kindly increase the grant for the girls' primary schools. Our girls must be encouraged to attend schools and more grants will mean that there will be more schools and better schools for their education.

MALUVI MD. HASANUZZAMAN মাননীয় সভাপতি সাহেব! Education budget সমর্থনে কিছু বলবার সুযোগ পাইয়া আপনাকে ধন্যবাদ দিতেছি। প্রাইমারী Education with taxation কিম্বা without taxation হবে এই নিয়ে প্রায়ই সমালোচনা হয়, আমাদের বিরোধী দল, অর্থাৎ কংগ্রেস-কৃষক-প্রজাদল এরা সবাই বলেন বিনা করে প্রাইমারী শিক্ষা হওয়া উচিত। বাস্তবিক দারিদ্র্যজ্ঞান নিয়ে যদি চিন্তা করা যায় বর্ত্তমান সময়ে বাংলাদেশে বিনা করে বাধ্যতামূলক প্রাথমিক শিক্ষা হতে পারে কি না তাহলে একথা উপলব্ধি করা যায় যে বর্ত্তমান অবস্থায় এরূপ হতে পারে না। এই বাংলা গভর্ণমেণ্ট দেশের সর্ব্বসাধারণের উপকারের জন্য প্রজাস্বত্ব আইন, মহাজনি আইন, প্রভৃতি সংশোধন করে এবং ঋণ-সালিশী বোর্ড গঠন করে দেশের যথেষ্ট উপকার করেছেন। কালকে রাত্রে একজন লোক আমাকে বলেছেন যে, এই সকল আইন সংশোধনের ফলে তিনি তিন হাজার টাকা পেয়েছেন। তাছাড়া এর ফলে যে বাংলার জমিহীন কৃষকেরা লক্ষ লক্ষ টাকা পেয়েছে তার শত শত প্রমাণ বাংলার বুকে বিদ্যমান আছে। ঋণ-সালিশী বোর্ড দ্বারা দেশ রক্ষা পেয়েছে। বাংলার গভর্ণমেণ্ট হাজার হাজার রকমে দেশের উপকার করেছেন। আমাদের বিরোধী যাঁরা আছেন তাঁরা চান দেশের লোককে অশিক্ষিত ও মূর্খ রাখতে। তা হলে তাঁর

নানাভাবে দেশের লোকের উপর অত্যাচার ও অবিচার করবার সুযোগ পাবেন, তা হলে দেশের লোক নিজেদের অভাব-অভিযোগ সম্বন্ধে কিছু বলবার সুযোগ পাবেন না। আমাদের কৃষক প্রজা ভাইরা ধোকায় পড়ে বিনা করে বাংলা দেশে প্রাথমিক শিক্ষা প্রবর্ত্তনের জন্য চীৎকার করছেন। আমি বলব তাঁরা একান্তই দায়ীত্বজ্ঞানহীন এবং তাঁদের বুঝবার শক্তি নাই আমি নিজে পল্লী থেকে আসছি। পল্লীর লোকেরা চায় ওরা শিক্ষিত হউক, সভ্য হউক এবং তাদের দাবী বুঝে নিবার উপযুক্ত হউক। এই জন্য আমার ভাই মকবুল হোসেন যে বিনা করে প্রাইমারী শিক্ষার ব্যবস্থা হওয়ার প্রস্তাব করেছেন তাতে বাধা দিচ্ছি, কেন না তিনি সমাজের ক্ষতি করবার জন্য এই প্রস্তাব এনেছেন। বর্ত্তমান গভর্ণমেণ্ট হাজার হাজার ব্যাপারে আমাদের সমাজের উপকার করেছেন একথা দেশের লোক আজ বুঝতে পেরেছে, সুতরাং হক গভর্ণমেণ্ট দৃঢ় সংকল্প নিয়ে tax ধার্য্য করুক। বাংলা দেশে প্রাথমিক শিক্ষার প্রস্তাব করেছিলেন, তাতে ফজলল হক সাহেব ও ফজলল হক গভর্ণমেণ্ট বাংলা দেশের ইতিহাসে অমর হয়ে থাকবেন, গ্রামে গ্রামে গেলে লোককে বলতে শুনা যায়, ফজলল হক সাহেব মরতে বললে মরতেও রাজি আছি। তাই আমি আমার বিরোধী দলের ভাইদের বলছি তাঁরা অন্যায় রকম সমালোচনা করছেন। তাঁরা গ্রামবাসী-দের প্রকৃত খবর জানেন না। না জেনে শুনে town এ বসে বসে.....আমি বহুকাল যাবত Registration fee কমাবার জন্য আবেদন করিতেছি, Registration অফিসের আশ্রয় গ্রহণ করতে হয় বিপদে পড়ে—দলিলাদি, ডিক্রিজারীনামা প্রভৃতি Registration করিবার জন্য অফিসে যাইতে হয় এবং fees দিতে হয়। এছাড়া নানা প্রকার দাবী সেখানে আছে, যেমন—রসিদের fee, কেরাণীর দাবী, মোক্তারের fee ইত্যাদি। Registration অফিসে Sub-Registrar পর্য্যন্ত ঘুষের শরীক হয় একথা জানা যায়। আমি বহুকাল যাবত দাবী করে এসেছি Registration fee কমান হউক; কেন না Registration দ্বারা যথেষ্ট আয় হয় এবং সেই টাকা থেকে Registration fee অনেক কমান যাইতে পারে, এই দাবী আমি অনেক দিন যাবত করিয়া আসিতেছি। আশা করি মাননীয় প্রধান-মন্ত্রী সাহেব এসম্বন্ধে সুবিবেচনা করিবেন।

Mr. MD. ABUL FAZL: Mr. Speaker, Sir, I give my full support to the cut motion of Mr. Maqbul Hossain. The cut motion has been moved to draw the pointed attention of Government to their failure to give effect to the resolution passed without any division by this Assembly on the 24th August, 1938—more than a year and half ago. The resolution is a deliberate opinion of this Assembly that immediate steps should be taken by Government for the introduction of free and compulsory primary education in this province without taxation on the cultivators. The resolution was moved by Mr. Syed Abdul Majid, then a member of the Opposition but now a member of the Coalition Group, and Maulvi Md. Hasanuzzaman, who has just now spoken, also supported that resolution. The Hon'ble the Chief Minister in winding up the debate opined that for one lakh of primary schools an annual expenditure of

Rs. 3,16,00,000 would have to be found; and he asked the mover of the resolution or any other member of this House to come forward with suggestions. He also said that if the resolution was carried he would take the earliest opportunity of putting the burden of taxation on everyone but the cultivators. Then he said: "So far, however, as the Government is concerned in regard to this resolution, I am only awaiting the verdict of this House. I have set up a Primary Education Committee. I will place the whole debate before them and I will invite schemes." Then he says: "I will free the cultivators and take the earliest opportunity of putting the burden on everyone but the cultivators." He goes on to say: "And therefore we say that it should be introduced without putting a burden on those who are unable to bear it, which means that somebody else has got to bear it, if not the cultivator, then some person. I should like to find out who that person is and as soon as I discover him I shall put the whole responsibility upon his shoulder to get the primary education introduced in this province. It will not take me long to find out who that person is. We have got a good Criminal Investigation Department, and it will not take me long to find out the person who wants to be taxed, and it will not be very long when he will find the burden of taxation clinging round his neck." In conclusion he says: "Coming to the resolution, Sir, I summarise the position like this. I agree that we should try our best not to tax the cultivator. In that sense I welcome the resolution, and I will consider the various speeches that have been delivered and await a fully drawn out scheme as an alternative to the scheme based on the 1930 Act I shall put the whole debate before the Primary Education Committee and if no other alternative is forthcoming, I will enforce the Act, or if necessary, I will frame another Act which will free the cultivator entirely from the taxation provided in the Primary Education Act."

The resolution was passed by the Assembly, as I have said, without any division. But may I now ask what earliest opportunity has been taken by the Hon'ble the Chief Minister during this 1½ years for putting the burden of taxation on other than the cultivators? Has he yet been able to find out the person who shall bear the burden? If he has, what steps has he taken to put the whole responsibility upon his shoulders? What has his Criminal Investigation Department been doing so long to find out the person? What has he done to act according to recommendations of the Primary Education Committee? What steps has he taken to frame another Act with a view to free the cultivator entirely from the taxation provided in the Primary Education Act of 1930? We demand answers to these questions; and the Chief Minister must answer them to show at least once that his professions and practices are the same.

The Chief Minister, as we all know, is used to give high-sounding promises without seldom fulfilling them, or even trying to fulfil them.

He has a peculiar knack of entrancing the people by his eloquence, but how long will that trance last? We saw through his game long ago, and there is every reason to believe that the people whom he hopes to keep spell-bound are sure to wake up and see through the game too, because there is the hand of the All-knowing Providence who will surely expose everything.

Constructive suggestions have from time to time been put forward on the floor of this House for finding money for free primary education, but the Chief Minister turned deaf ears to these suggestions and had his own way of running the administration of this province in the old bureaucratic style.

Why is he afraid to put the burden of taxation upon the shoulders of those who are able to bear them? Because he dare not displease his white masters and his rich followers and colleagues, whose interests are quite contradictory to the interests of the cultivators for whom he has been shedding crocodile tears these three years.

If he had any intention of fulfilling his promises he would easily have cut down the expenditure of this top-heavy administration, effecting a saving of at least 50 lakhs of rupees. Is he not aware of the huge fraud perpetrated upon the Public Works and Irrigation Departments by contractors of new and repair works? Could he not have saved a considerable amount of money without launching upon the scheme of eradication of water-hyacinth at a time when it was a useless waste of money without any appreciable result? He should have been able to find more than 3 crores of rupees by taxing other than the cultivators.

If the Chief Minister had really the will, it would not have been difficult for him to find the way during this long time. He will no doubt come with fresh promises to-day. But I am sure nobody will be deceived by these.

In fine, I have to press upon the House and upon the Hon'ble Ministers in particular that resolutions are passed, not to be shelved in the archives of the Secretariat, but to be carried out by the Government. In all autonomous and respectable Governments, resolutions of legislative bodies are carried out. If not, then why is this farce of an Assembly?

Government must carry out this resolution passed without any division, and if they cannot do so and if they call themselves responsible and respectable they should resign. They had then a majority in the Assembly, and they could have thrown out this resolution, and there would then have been an end of the matter. But they, instead, chose to wait and see. They saw the resolution pased, and they have failed to carry it out during this long 1½ years. The ordeal is terrible. They are answerable to an electorate which cannot be deceived any longer and also to a Higher Being who cannot be deceived at all. There is no

escape from this position. They must remember that the electorate is watching with keen eyes as to what they do. If they are too avaricious of their pay and offices they shall have to pay the penalty in the near future.

Mr. SPEAKER: I think that on the arrangement arrived at I have tried to follow the list given to me exactly in the same order as the different parties wished. I shall now call upon the Hon'ble the Chief Minister to reply on primary education and then keep General—Education open for discussion for another 15 minutes.

(Maulvi Waliur Rahman rose to speak)

I am sorry, your name was not referred to me. Otherwise I would have called you.

Dr. NALINAKSHA SANYAL: Sir, would it not be possible for the Chief Minister to reply in one comprehensive speech?

Mr. SPEAKER: He may do it.

Mr. DAMBER SINGH GURUNG: Mr. Speaker, Sir, almost all the speakers have spoken on the necessity of introduction of primary education in Bengal, so I do not like to repeat it but I would like to concentrate myself to the district of Darjeeling only where you will find a different type of people with different kind of problems. Sir, I am very much surprised to find the percentage figure of literacy of the district of Darjeeling given by the Hon'ble Minister in charge of the Education Department in answer to a question this session. It is 12·2 in Darjeeling. I wonder how this figure has been arrived at. This may be true if only the town areas are taken into consideration, but if the whole district is taken into account, I am sure, this is not correct. It may be 2·2 but not 12·2. Not only I but the members of this House may also be wondering at this figure as it is generally known that the people of Darjeeling are very very backward in education and in almost all other matters. How is it possible for a place like Darjeeling where there are no educational facilities for the people and where the Government have not done anything for the education of the backward tribes of the hill to have such a high percentage? There is only one Government high school and two or three other high schools and a few middle schools. For primary education we are left at the mercy of the Christian Missionaries. Almost all the schools that are in the villages are managed by the Missionaries. The number of these schools is not sufficient to cope with the demand of the people. There are so many setbacks on our way to education: Poverty, inaccessibility to schools on account of the difficult hill roads, want of schools, etc.

Many parents cannot afford to send their children to school on account of their poverty as the children have to do the domestic work at home and those who can afford to do so do not get the opportunity as the schools are not nearby. We are no doubt grateful to the Missionaries for the philanthropic work they are doing in the hills and it is because of them that our children are getting at least some education, but their motive in doing so does not seem to be pure. One who goes to the hills at least with some interest to study the educational problem of the hill tribes will at once come to know that the main object of the Missionaries is only to spread their religion and to convert the innocent hill people to Christianity. They have been there in the hills for more than 50 years, but the progress they have made in educational line is very poor. During the last 50 years they have not produced a single graduate which they could do easily as the Wales Mission is doing in the Assam hills, but the object of these Missionaries is not to give higher education. They do not want to see us well advanced. If any of their Christians happen to get a pay of Rs. 100 a month either in the Government service or in some other service they become jealous and they think that it is too much for the hill people. Such is the attitude of these Missionaries towards our people. Now, Sir, the attitude of these people towards the Government too is the same; they do not care even for the Government order in educational matters. Here is one instance. The Government have recognised the Nepali language as the medium of instruction in the middle classes of all the schools in the hill portion of the Darjeeling district, but in the Mission schools, particularly the S. U. M. Institution at Kalimpong, Hindi continues to be the medium of instruction even at present in spite of the Government order and in spite of our request and reminder several times.

There is one Mission Girls' High School at Kalimpong and a girls' hostel attached to it. This girls' school gets a grant of Rs. 100 only per month from the Government which sum is not sufficient for a girls' high school. The management of the hostel is so miserable that anyone hearing about it gets astounded. The hostel fee is only Rs. 5 per month which has been raised to Rs. 6 this year on account of the rise in price of the foodstuffs. Even if the boarders want to pay more and eat better and live better they would not allow it. Imagine, Sir, how is it possible for a girl to manage to have better food and maintain health and vigour which are so essential specially during the early stage of life? Rs. 5 a month means less than 5 pice per meal leaving aside the question of tea and tiffin. They can have nothing but *bhat* and *masur* dal which is injurious to health and that also they have to take stale because they do not get time to cook as they have to be ready by 7 o'clock in the morning for the Bible class which is compulsory whether she is a Hindu or Musalman, fortunately no Muslim girl has gone there so far.

They have to do all sorts of work as they have no servants. There is no other hostel where the girls can go and stay. We wanted to start a hostel, but it is very difficult without the help of the Government. A girls' hostel is badly needed there. I think it will not be possible for the Government to start a Government girls' hostel there; of course, nothing is impossible these days if there is the desire, but I appeal to the Chief Minister at least to give the house rent and servants' pay for the time being. The public will take up the initiative and start the hostel free from all those undesirable things.

Now, Sir, as regards the primary schools, many schools were started by the public but they were short-lived for want of help from the local bodies or the Government. Leaving aside the question of getting help we are not even getting encouragement from the Government. The public of Kalimpong started one primary school some 7 or 8 years ago. The number of students is increasing every year. The school building is small and so it is difficult to accommodate all the students seeking admission. So the school committee applied for a new building site, but the Subdivisional Officer who is the representative of the Government, has not been able to give us any site though there are suitable sites available for the school. The school committee has been asked to pay full rent of the land which comes to about Rs. 300 per year, only for the building site and about Rs. 1,500 as *salami* which the school is not in a position to give. We are even prepared to give nominal rent, but we are not getting the site. Such is the attitude of the Government officers. But for the substantial monthly subscription from Birla Brothers, Calcutta, the school would have been abolished long ago. When the public takes the initiative, starts the schools and takes up the management, which is the duty of the Government, the Government ought to encourage us in some way or other.

In conclusion I may point out, Sir, that we, the backward tribes of the hills, have been very sadly neglected because they carry only one vote in the Assembly. No provision whatsoever has been made for these unfortunate lot either for the primary education or for higher education. We have so far only 2 M.A.'s and about 50 B.A.'s. It is proverbially known that the hill people are poor. Our people cannot afford to send their children for higher education to Calcutta as we have no college in the hills. One Government climatic college for the whole of Bengal should have been started there, but instead of this we were about to get a climatic T.B. Sanatorium. We want prevention and not the remedy after injecting the germs in us. I appeal, Sir, that free compulsory primary education be introduced in Darjeeling district where it is needed most. Even if the Government is not prepared to do so free we are willing to pay the cess at a reduced rate of course,

because we are poor and some provision be also made for higher education of hill tribes, by reserving scholarships specially for the hill people only.

Maulvi WALIUR RAHMAN: Mr. Speaker, Sir, I rise to support the motion moved by my friend Mr. Maqbul Hossain. The resolution passed by this House and the election pledges given by the Hon'ble the Chief Minister on our behalf as the Leader of the Proja Party, are themselves sufficient support to the motion. May I ask the Hon'ble Minister if this problem is not practicable and not possible, why did he give his consent to the acceptance of the election pledge? A responsible man like him should not have given his consent to the resolution; nor should he have given his consent to the election pledge on behalf of the Proja Party as the then Leader of that Party. It is admitted by all that it is the first and foremost crying need of the country. It is not unknown to everybody that it is not free from complexities and difficulties. But is it not possible for the Government to find out ways of removing the hindrances in the path of the solution of this problem? I think that if the Government had the desire it would be possible for them to remove the hindrances in the way of its solution. I can say without any fear of contradiction because every one can see that there are luxurious provisions in the budget for many institutions which can easily run without Government help, that is, for higher education from which the poor Muslims will not get any benefit. For instance we see a huge expenditure for the last luxury, namely, the provision for the Lady Brabourne College, the so-called Purdah College, which I think in my opinion is quite unnecessary, and if anything, it is a disgrace. But there is no provision for girls' schools in the mufassal to remove the illiteracy of the girls of the poor dumb millions in the rural area. There is no primary school and there is no middle English or high school for girls in the mufassal where they will have to pass their youth without any purdah among young boys—to have their secondary education when they attain their womanhood, they will remain in the purdah, and therefore you can realise the position whether they will observe purdah or not.

But it is a huge expenditure. If this huge expenditure had been made for primary education, to some extent the problem could have been solved.

Sir, another point is this that we can get a huge sum of money from the jute sources and if this amount be spent for primary education, it would mean solving to a certain extent a most important problem of the province. What right have the Government got to spend this money otherwise than for the benefit of the poor agriculturists who are in need of primary education, because this money

is procured from the flesh and blood of the poor agriculturists and this money should be utilised for their benefit and not for the benefit of others?

In this connection, I may point out that huge sums of money have been allotted under different heads for the luxury of Government officers—huge buildings are going to be erected for them to see to the ease and comfort of these officers who are quite capable of looking after themselves. But what about those poor people who live far away from the town——

(Here the member reached the time-limit.)

Mr. SPEAKER: You may finish your sentence. I may say in this connection that in future I shall try to have some electric arrangement so that every speaker would get a sort of warning about two minutes before the time-limit is reached. As a matter of fact, we are in communication with the Public Works Department to get this arrangement done.

Maulvi WALIUR RAHMAN: Sir, there is a constitutional point. The resolution should have either been rescinded by replacing it before the House or the resolution should have been given effect to. But this has not been done only perhaps for fear of unpopularity and it has been kept pending to show that it is there and they are doing something.

It appears from the speech of the Hon'ble the Chief Minister delivered last year that without the enforcement of education cess it was not practicable to put this resolution into effect I cannot understand why he is making so much delay. I think he will take steps to do something, because the problem is an urgent one.

Mr. M. A. H. ISPAHANI: Mr. Speaker, Sir, I rise to make a few observations on the main demand that is before the House. Sir, we on this side of the House expressed our views during the discussion of the previous budgets impressing upon Government the urgent need for a thorough overhaul of the University of Calcutta. Our complaint against the University still remains. I am fully aware, Sir, and I recognise, that some of the *alumni* of this University have shown remarkable gifts of intellect and erudition but they are the exceptions and not the rule——

Mr. ABU HOSSAIN SARKAR: Sir, is he in order?

Mr. SPEAKER: He is speaking generally.

Mr. M. A. H. ISPAHANI: They are what they are in spite of the University and not because of it; for producing such men the University cannot claim any credit. A University is judged by the average type which it turns out and not by those of its products who happen to reach exceptional levels. Can any one deny that the average product of this University is a very poor specimen indeed? (Question.) And that, Sir, is a condemnation from which the Calcutta University can show nothing to exonerate itself. It is usual in certain quarters to talk with pride of the yearly increasing numbers of candidates who appear at the various examinations of the University and pass them, but how many of these receive an education of which they themselves can or ought to be proud? The level of their general knowledge is very low and their power of expression usually crude and only half formed even though they may have become Bachelors of Art, Science or Law. Indeed, the average Calcutta University product has little to show for the years that he has been under training and instruction at his University. The average product cannot reason for himself, he has no opinion of his own but can express the opinion of others and quote verbatim world authorities—dead or alive——

Dr. NALINAKSHA SANYAL: Sir, may I know on which motion he is speaking?

Mr. SPEAKER: I have already said that he is speaking generally.

Dr. NALINAKSHA SANYAL: On a point of order, Sir. We are here to discuss certain grants. The method of administration of the University and the teaching of the University and its standard of efficiency and of all the lawyers and of other friends who have passed out of the University including yourself and the Hon'ble the Chief Minister, is not the matter under discussion. Sir, a man from other province probably having some education or bad education from another province may not be permitted to condemn all and sundry in this strain——

Mr. ABDUR RAHMAN SIDDIQI: Sir, it is not a point of order——

Dr. NALINAKSHA SANYAL: These foreigners may exploit our money but let them not condemn our brain.

Mr. SPEAKER: I am waiting to see what Mr. Ispahani is going to say.

Rai HARENDRA NATH CHAUDHURI: Sir, he is not speaking on any motion whatsoever.

Mr. M. A. H. ISPAHANI: Sir, the University should judge its output by the standard of quality and not of quantity. This is, Sir, a state of affairs that the Government are in duty bound to remedy because, after all, it is the Government who are the custodians of the best interests of the nation and such slogans as "Educational Autonomy" should not deter them from coming to the rescue of higher education in Bengal.

Now, Sir, to touch briefly on the grievances of the Muslim community against the University. We are fully aware that since the present Vice-Chancellor took up the reins of office matters have not been so bad. We know, Sir, that no new weapon has been forged and aimed at Muslim culture under his régime and that he has even succeeded in introducing a course of Islamic studies at the University. For what he has been able to do, we warmly congratulate him. But we realise his difficulties, and our grievances still remain. The Muslim community has as yet no effective share in controlling and guiding the University's policy. This is all the more regrettable because eighty per cent. of the members of the Senate are nominated by Government. We realise that the present state of things as regards the Senate is a legacy left by past Governments. But, Sir, even in filling up the vacancies that have occurred in the Senate during the last three years, although something has been done by the Hon'ble Minister in charge of Education, more could have been done to remove injustice to Muslims than has actually been done. I fail to understand, Sir, why renominating certain individuals should have been regarded as essential even by the present Government. It is true that the real remedy lies in completely reorganising this institution and changing its very constitution and we realise that there are technical legal difficulties in the way. But I feel that the Ministry could have pursued the matter more vigorously than they have done. I hope, Sir, that the Hon'ble Minister in charge of Education will give an assurance to this House that Government's plans in this regard shall be speeded up. I do not propose to enter in detail into the various grievances under which Muslims still smart and the various handicaps on the higher education of Muslims which the University still continues to impose, because, Sir, these are well known already. I have only referred to them in order once again to draw the pointed attention of Government and of this House to Muslim grievances against the University and to remind the Ministry that their promise of amending the Calcutta University Act still remains unredeemed. Before the Hon'ble Minister of Education comes forward with his next budget, let us hope, Sir, that the pledge will be redeemed.

Sir, when we turn to the employment in the various departments of the University including the clerical staff, we find that the number of Muslim employments is still hopelessly inadequate and does not show much improvement.

Just one word more and I will finish. I respectfully suggest that the University should serve the interests of our great province by directing more of its attention to the education and training of young men for professions that can absorb them when they quit the University. Such vocations are many. Technical, industrial and commercial training, for example, are three of the many fields that still offer much scope.

Mr. JOGESH CHANDRA GUPTA: Mr. Speaker, Sir, today we are discussing primary education and there are cut motions on this subject. Yesterday when the secondary and higher education matters were being considered the honourable member would have been quite entitled to speak; but today when primary education and other cut motions are on the agenda list, how could anybody take up the time by speaking on secondary and higher education? That is what I want to know. General discussion has taken place for the first three days. On those days everybody could have spoken but during the cut motions you always confine speakers to the respective cut motions and I fail to see how this has come in. It is a very important matter.

Mr. SPEAKER: I think I have explained to you, Mr. Gupta. You remember that so far as yesterday was concerned you specially drew my attention to the fact that there were certain matters concerning education on which some members wanted to speak. Yesterday we had only secondary schools. Today therefore barring secondary schools and primary education every other question is still open, but——

Dr. NALINAKSHA SANYAL: But where is the motion?

Mr. SPEAKER: Dr. Sanyal, you must allow me to have my say. You must not interrupt me while I am on my legs.

Mr. Gupta will remember that it is only this year that we are trying to restrict the debate only on the issue concerned. In previous years even though a particular motion was before the House the whole demand was open. (Rai HARENDRA NATH CHAUDHURI: No, Sir, never.) I am sorry. I will be able to give you definite instances. (Dr. NALINAKSHA SANYAL: Must be on motions.) Order, order, Dr. Sanyal. I am afraid I have the painful necessity of warning you that in case you interrupt me again I will have to take action immediately. I will not tolerate any more interruption by you.

Mr. Gupta will remember that we made the arrangement that after all the debates on primary education are over the main demand will be open and as such it is open to anybody to speak anything he likes.

Mr. JOGESH CHANDRA GUPTA: It must be on general cut motions.

Mr. SPEAKER: Well, in any way that was my decision which I expressed to the House that it was open to anybody to speak in any general manner. Mr. Waliur Rahman said something other than the primary education. Mr. Gurung spoke on Secondary education of girls, and Mr. Ispahani spoke on university education.

Mr. JOGESH CHANDRA GUPTA: May I just submit one thing? It is very important for our future guidance. Either we will follow the procedure that during cut motions anybody who wants to speak has got to speak with reference to the cut motions on the agenda paper or he can have a general discussion as allowed on the first day.

Mr. SPEAKER: If the Opposition desires that on any particular demand only the issue which is raised in that particular cut motion should be discussed irrespective of the main demand, I may consider it in future.

Mr. SANTOSH KUMAR BASU: May I just point out that there must be some difference between the general discussion of the budget and the discussion of the cut motion which follows the general discussion of the Budget? The general discussion certainly covers the entire ground covered by the demands themselves and on that occasion it is quite open to a member to raise any subject irrespective of any future cut motion that may be tabled or may not be tabled. Now, after that stage is over, and when we come to the stage of cut motions, discussion must be limited to the specific issues raised in those cut motions. Otherwise, Sir, the general discussion loses all its meaning and the time allotted for cut motions is taken up by matters which ought to have come within those three days. That will result in an encroachment upon the privilege and the time at the disposal of the members who have tabled cut motions on behalf of the Opposition which I submit you cannot permit at this stage.

Mr. K. SHAHABUDDIN: May I make one submission in this connection? If it is decided that only the matter which has been raised by the cut motion will be discussed, and the speaker will have to confine himself to these limits in that case it will be very difficult

for the members on this side of the House because members of the Ministerial Party do not move cut motions. Unless and until the main demand is open to discussion the members on this side will have no opportunity to express any opinion on the matter.

Mr. SPEAKER: If there is any difficulty, I will be prepared to consider this point. Strictly speaking, unless I decide that the main demand is open, the debate should be confined to the specific issue which is raised, viz., when there is a cut motion on primary education, it is only the primary education which is open: when there is a cut motion on secondary education, the entire secondary education is open: when there is a cut motion on any other matter, that is open. But it cuts both ways. It might be helpful to the Opposition, it might be difficult to the Opposition also; because there might be an occasion in which restricting to one particular issue might stultify the very Opposition point of view which they want to have. But in any case in the budget cut motion you will remember it is primarily the right of the Opposition to say as to how they want to decide the point. During the general discussion of the budget it is certainly the right of the entire House and the House will remember that during the general discussion on the budget I could not give any preference to the Congress Party. I went to each block, allowed one speaker from one block and in this way travelled round until I came back to the Opposition. That was the procedure which I followed during the general discussion. So far as the cut motion is concerned, if it is desired that it should be confined to the restricted issue, that is finished others cannot be taken up; but after it is finished it is open to any member to rise, before another motion is moved, to discuss the main demand if he wishes to. I have no objection.

Mr. ABDUR RAHMAN SIDDIQI: I submit, Sir, that it is rather beside the point. I want, Sir, to place certain facts before the House.

Mr. SPEAKER: I have decided that Mr. Ispahani was perfectly in order to speak. That question is finished. As regards the future I was discussing what would be our course of action.

Dr. NALINAKSHA SANYAL: On a point or order, Sir——

Mr. ABDUR RAHMAN SIDDIQI: On a point of safety, Sir. (Laughter.)

Mr. SPEAKER: The Chief Minister will speak.

Dr. NALINAKSHA SANYAL: On a specific point of order, Sir. May I know on what cut motion he spoke, so that we may have an opportunity to reply to the vile and malicious attack of Mr. Ispahani on the students and products of the University of Calcutta? May I have an opportunity to speak?

Mr. SPEAKER: I have given my decision. It was decided at half past eleven that the main demand would be open for discussion at 12-15. I consulted Mr. J. C. Gupta, and it was in accordance with his wishes that this decision was made.

Mr. JOGESH CHANDRA GUPTA: May I make it clear, Sir, that I never agreed to any general discussion beyond the cut motions tabled today?

Mr. SPEAKER: How can there be a general discussion on a particular cut motion?

Mr. M. A. H. ISPAHANI: Sir, I do not like that there should be any misunderstanding. I did not attack the students of the Calcutta University.

Rai HARENDRA NATH CHAUDHURI: Yes, you attacked them. You said "products of the Calcutta University"

(Dr. Nalinaksha Sanyal rose to speak.)

Mr. SPEAKER: If anybody else wants to speak, I am perfectly prepared to allow him to speak.

Dr. NALINAKSHA SANYAL: Why not myself, Sir? I am not one of those who take a calumniating remark quietly and lying down from an intruder from another province, or a foreigner speaking against the products of our University as a whole.

Mr. ABDUR RAHMAN SIDDIQI: Sir, we seek your protection.

Dr. NALINAKSHA SANYAL: I am not prepared to yield. I want to speak about the remark made on the products of the Calcutta University by these non-Bengalis.

Mr. ABDUR RAHMAN SIDDIQI: I submit, Sir, that the Chair has not protected me.

Mr. SPEAKER: Mr. Siddiqi, do you want to raise a point of order? Unless it is a point of order and if the other member does not yield, you cannot raise that point.

Mr. M. A. H. ISPAHANI: On a point of order, Sir. Is the honourable member entitled to speak as he has done about certain members of this House, calling them foreigners and intruders? We have come to this House as representatives of the Muslims of South Calcutta. (Cheers from the Coalition Benches.) Is he entitled to call us intruders? We seek your protection, Sir.

Mr. SPEAKER: I would be very happy if those words could be avoided. But I do not think that an expression like "foreigner" can be shut out, so long as it is not a personal reflection, because members on my right and on my left, while speaking about the European community, have often used the word "foreigner". I also remember that on various occasions members both on my right and on my left have used the word "foreigner". I do not think that it is an unparliamentary expression, until a motive is imputed.

Mr. M. A. H. ISPAHANI: But, Sir, he has said "intruder".

Mr. SPEAKER: Dr. Sanyal, did you say "intruder"?

Dr. NALINAKSHA SANYAL: Sir, I did not say "intruders in his House" I said "intruders in this province".

Mr. SPEAKER: The word "intruder" is unparliamentary, will you withdraw that?

Dr. NALINAKSHA SANYAL: Sir, Mr. Ispahani has attacked he University of Calcutta and its products most unfairly and——

Mr. FAZLUR RAHMAN: On a point of order, Sir. You declared hat the word "intruder" is unparliamentary. May I know whether Dr. Sanyal will withdraw that word?

Mr. SPEAKER: I have asked him to do so.

Rai HARENDRA NATH CHAUDHURI: Sir, he did not use that word.

Mr. ABDUL WAHAB KHAN: Yes, he did use that word.

Dr. NALINAKSHA SANYAL: Sir, I have said that I have not and I am not going to use the word "intruder", so far as this House is concerned. I have already said that to you, Sir, that I will not repeat that they are intruders in this House. But so far as the province is concerned, they are certainly intruders.

Mr. SPEAKER: Dr. Sanyal, the word "intruder" is objectionable and unparliamentary, and you will withdraw it.

(Cries of "withdraw, withdraw" from the Coalition benches.)

Dr. NALINAKSHA SANYAL: Sir, I have not used the word "intruder" so far as presence in this House is concerned but I have used it so far as entry into Bengal is concerned.

Mr. SPEAKER: You must withdraw that expression.

Dr. NALINAKSHA SANYAL: All right, Sir, I withdraw the word, the word "intruder" stands withdrawn (Cheers from the Coalition Benches.)

Sir, so far as the Calcutta University is concerned, Mr. Ispahani entertains some grievances, as he has not been nominated on the Senate as yet. I believe the honourable member from the Muslim Chamber of Commerce no longer entertains any such grievance, because he happens to be a nominated member of the Senate of the University and during the last few years he has had an opportunity of knowing something about the inner working of the University. Sir, the University of Calcutta has been characterised by Mr. Ispahani as one of the most inefficient institutions of which the average product cannot compare favourably with that of the universities of other provinces and of other countries. I say that this calumny, which is thoroughly unjustified, can only come from somebody who has probably no knowledge of the working of any University, far less of the working of the Calcutta University, and probably who can only profess to know and prosper in the *fatka* market.

Mr. M. A. H. ISPAHANI: Sir, can the honourable member make a remark like that?

Mr. SPEAKER: I think it is not unparliamentary.

Dr. NALINAKSHA SANYAL: Sir, we know how speculators revel in the kite-flying language of the *fatka* market. I only trust and hope that Mr. Ispahani's attack on the Calcutta University is one such business language and nothing else.

Sir, the Calcutta University for years and for ages has not only produced the best brains that India has ever produced but it has its doors kept open for scholars of eminence from any part of India which probably no other University can claim to have kept open in that way. It was not long ago, Sir,—only last week,—that Sir Mirza Ismail gave a glowing tribute to the products of the Calcutta University, not merely with regard to its best scholars but also with regard to the average students that are coming out of the University year after year. It is true the Calcutta University does not and cannot boast to have produced certain communally minded persons or students. It is true that the Calcutta University has not tried to bring forth to the world persons who would poison the whole national life and culture. On the contrary, under your guidance, Sir, as Vice-Chancellor of the Calcutta University, a certain lead has been given which will go forward as an example to the whole of India and show how liberal-minded the Calcutta University is even in the matter of giving due place to the culture of different eminent communitities of India. If the University has to be condemned for this such critics cannot be taken seriously.

Sir, the Calcutta University has again been found guilty, because it has not been able to provide sufficient employment for its products, and it has been suggested that some modification in the curricula and method of teaching of the Calcutta University along vocational lines might be helpful. Sir, this observation is probably borrowed from the comments of some eminent educationists of the Calcutta University including yourself, Sir, which my learned friend wanted to quote as a great discovery that he has found handy in his attack on the Calcutta University. At the present moment, my friend may be informed I do not know if my friend really cares to know it—that the Calcutta University has been seriously considering how best to modify its course of training along lines through which it will be possible for its products to find better employment. If men in business and those who are criticising the products of the Calcutta University like Mr. Ispahani throw open sufficient opportunities to the Calcutta University, and not monopolise all the avenues for employment to their own kin, and assist the Special Officer of the Calcutta University, the Secretary, Appointments Board, who has been trying for some time past, to secure the co-operation of businessmen, probably the position will be much improved. Sir, another attack has been launched on the ground that the number of employees in the Calcutta University does not show an adequate representation of Mussalmans. I claim with all the emphasis that I command that so far as the number of members of the Senate is concerned the Calcutta University shows not merely a proportionate but a more than proportionate weightage to Muslims, either in comparison with their contribution or compared to the number of

students reading in the Calcutta University. So far as the question of office assistants is concerned, you, Sir, the other day drew pointed attention to the paucity of the number of students coming out in the I.Sc. and B.Sc. and M.Sc. classes of the Calcutta University compared to the number of students of other communities of the Calcutta University. The University will demonstrate to any impartial observer that the number of appointments held by Muslims there, not merely in the teaching staff but also in the office staff, is quite proportionate to the number of Muslims coming out of the Calcutta University and the number of students reading in various stages of the University. Yet, I do admit, and I feel that in view of the insistent demand there is probably some scope for improvement in that score, and I know that the authorities of the Calcutta University will not be slow to give due recognition to the claims of duly qualified Muslim candidates for appointment in different departments, but not on the basis of minimum qualification as has been very much in vogue for the time being in the public services of Bengal, but on the basis of certain definite standard of efficiency, if not on the basis of maximum qualification, which would at least make them efficient officers or efficient persons in charge of a particular kind of work.

(At this stage the member having reached the time limit resumed his seat.)

The Hon'ble Mr. A. K. FAZLUL HUQ: Sir, I am not surprised that I have been attacked by friend and foe alike but I am prepared, having regard to the importance of the subject and to all the facts and circumstances, to accept all those criticisms that have been levelled to-day in the friendliest spirit possible. I realise, Sir, that there is in the minds of all of us in Bengal something like a passionate yearning to see the day when Bengal would be full of primary schools like a network spread from end to end, where our children would get the benefit of free primary education and when Bengal will lead, as it has always led in the past, all movements, educational and otherwise, as compared with other provinces in India.

The first objection that has been raised is that we have been inordinately slow. May I point out to the House that if we compare notes with other provinces, our achievements have not been inconsiderable. Sir, I have been to most of the major provinces in India. I have been to Bihar, I have been to Orissa, I have been to the United Provinces and I have been to Bombay and the Central Provinces. I can tell this House that if an impartial enquiry were made, the record of our work in Bengal would not compare unfavourably with the record of work in other provinces. Sir, it is impossible for any human agency to fill up the entire province with thousands and thousands of

schools with modern appliances, efficient teachers and necessary funds for the maintenance of such a large organisation. My friend Mr. Abu Hossain Sarkar when referring to the Preamble pointed out to the House what I consider to be the real commitment of Government in this respect. May I read out once again to the House for the benefit of those who may not have been able to listen to my friend what the Preamble of the Act really is. The Preamble reads as follows:—

> "Whereas it is expedient to make better provision for the progressive expansion and for the management and control of primary education in rural areas in Bengal."

Of course, there follow the words "so as to make it available to all children and with a view to make it compulsory within ten years." As regards that, may I point out to the House that this Act which was passed in 1930 lay dormant for seven years and I claim the benefit of omission so far as these seven years are concerned. Secondly, you cannot conceive of a policy of compulsion unless you have provided the people with something like free primary education. You cannot force a cultivator, a poor man, to send his boys to school if he does not know where to send his boys to. Therefore, the slightest consideration will convince the most captious critic that it is essential that there should be free education first before we can make it compulsory. Let us see if we have been able to achieve anything and whether it is permissible for me in reply to the criticisms that have been levelled to claim that something has been done and something has been achieved and that what we have done in the past may be taken as a guarantee for something that is going to be done in the future. Now we have been in office for three years and we have got 16 District School Boards throughout the province. Of these 16 District School Boards, eight Boards have already imposed a cess, so that I can fairly claim that so far as these 8 districts are concerned, the Education Act is in full swing and that we are pursuing a policy of having primary education free if not throughout the province, at least in eight of these districts in Bengal. Then, Sir, there are in all 16 districts, as I have said, which have District School Boards and it is our policy to take these districts one by one and to have the cess imposed some from April, some from July and some from September, so that by the time we meet again I expect that not merely the sixteen but possibly two or three districts more will have the Act in operation, with a view to the introduction of primary education in those districts. Now, Sir, my friend Dr. Sanyal was pointing out that a certain sum which had been allotted for the training of teachers had not been utilised and some amount had been allowed to lapse. The reason for that is not apathy on the part of Government. It was due to the fact that in many

districts as soon as the cess was imposed it had to be suspended in pursuance of objections raised from various quarters. I may mention, Sir, that within the last 18 months, we had to suspend the cess in Chittagong, Noakhali, Pabna, Bogra, Dinajpur, Rangpur, Nadia and Faridpur. Now, Sir, when these suspensions had been undertaken, they were done at public request and in pursuance of a public demand.

Rai HARENDRANATH CHAUDHURI: What is the revised scheme referred to in the budget?

The Hon'ble Mr A. K. FAZLUL HUQ: "I am coming to that. Now, Sir, the difficulty is that it is no use training teachers when we have not got any schools to send them to. The questions of primary education, the kind of education imparted and whether religious instruction should form part of it or not may be disposed of in few words. There is an insistent demand on the part of the Muslim community that religious education should be imparted in primary schools. This does not mean that arrangements that are made in those schools would be such as to compel boys of other denominations to be forced to take up that kind of religious instruction. But our idea is to give religious instruction at some time outside the ordinary school hours so that it may not interfere with the ordinary work of the school nor compel any student who does not want to come in for religious training to take that kind of training.

Now, Sir, as I was submitting, the next point that has to be considered is the question of expense. On former occasions, I used to point out to the House the question of the enormity and the magnitude of the problem. Luckily for me, since I spoke last on the subject, the Committee appointed by Government to consider the problems of primary education has submitted their report. We have not yet had time to consider this report in the Cabinet. But we have been considering this question ourselves and we have decided to accept many of the recommendations and to take action immediately in anticipation of the sanction of Government. Now, this report in Appendix A points out that it is possible to have primary education in Bengal if Government could come forward to face a deficit of a little over a crore of rupees. The calculations are given in the Appendix itself and need not be repeated. Sir, that, of course, is bringing the problem within manageable proportions because whatever may be sources from which money is to come, Government ought to be able to find at least a crore more if that solves the great problem which we all have before us.

Now, Sir, it was at one time decided by some of the District School Boards to go in for some expensive schemes. Mymensingh, for instance, has in view the idea of a school in which a teacher should be paid on a

scale which would cost about Rs. 40 a month. Sir, to many who have considered the problem this standard seems to be a bit too high and we propose to discuss this question with all the District School Boards in order to induce them to take up a less ambitious and a more workable scheme. When that is done, the question of the training of teachers also will have to be revised considerably. There are many subjects which had to be taught but which for various reasons need not be insisted upon in order to make the course much shorter than is necessary. In this connection, may I point out to the House that there is one very fortunate circumstance to which I would refer and which, I hope, will help us in solving the problem of primary education far more readily than we could have expected before. That system is somewhat on the lines suggested by my friend, Dr. Nalinaksha Sanyal and it is this. I have received offers from retired Government servants,—I.C.S. officers, B.C.S. officers and other officers who served Government in high and responsible positions, who have come forward to place their services at the disposal of the Government in order to be able to co-ordinate their efforts with whatever Government might do to start primary education in rural areas. Sir, if we can harness in this task the services of all these retired officers of Government, I think a large part of the difficulties will have been removed.

As regards the scheme of my friend, Dr. Sanyal, I have had an opportunity of looking into it and I will be much obliged if he will kindly come and discuss with me his scheme because there are many points on which his scheme can be accepted and made part of a workable scheme for the introduction of primary education.

Sir, I do not wish to take up the time of the House. I will summarise all that has been done. I freely confess that although at one time, I thought that primary education could be enforced without any taxation whatsoever, experience has taught me that that is an almost unattainable position. All over the world, as Mr. Wordsworth has pointed out, primary education has got to be paid for in some way or other. If the boys do not pay fees, their guardians have got to pay taxes in some shape or other.

Again, the question of leaving out those persons who cannot bear the burden of taxation does not arise because under the Primary Education Act, the incidence of taxation is so low that it is much lower than what the cultivators pay at the present moment for the education of their children. Secondly, Collectors and District School Boards are empowered to exempt one on whom it would be a great hardship to pay tax. Now, having come to the decision that there should be a tax, the best thing that we can do is to go ahead with the scheme under the Primary Education Act that we have got in hand. Sir, it is not correct to say that we have not done anything; it is not correct that we have

not got any policy; it is not correct that we have given no thought to the question of primary education in Bengal. We have not been resting on our oars. The fact is that the Act is in operation in eight districts. We have got a policy, namely, the policy of the Primary Education Act of 1930, and having accepted that policy, we have enforced that policy in one-third of the total number of the districts of Bengal and in a few months more, we will be able to introduce the Act in half the districts of the Province. Therefore, Sir, I maintain that we have not been idle. Whether this is an ideal method or not, I cannot at the present moment take upon myself to say. It may be that, in course of time as we go on, some other method may be discovered, but till that is done, we are not going to remain idle. We want to proceed and lose no time. That is the reason why we are going forward with the Act in the expectation that possibly experience will teach us in time something which may be better than the scheme which is envisaged in this Act.

As regards the inadequacy of the grant for primary education, I may point out to the House that we are at the present moment considering how far we can have a little cheaper system than the one that has been adopted by many of the District School Boards. But I can give this assurance to my friends in this House that any District School Board in any district where cess has been imposed can always rely upon Government supplementing the deficit. In order to carry this system into full operation (Cries of "hear", "hear" from the Coalition Benches), as soon as demand is made, we will find the money and I say we have got the money, whether we make the payment by appropriation or we come forward with supplementary budget in the July session. No part of the Province will suffer for want of funds in order to carry out the scheme of primary education. It may not appear specifically in the budget, but we have got the money. As soon as a District School Board comes forward with a plan saying "this is what we have got and this is what we require in order to make it workable in our district", the requisite money will be supplied. Therefore, I submit respectfully to the House that the question of inadequacy of funds does not arise. Whenever money is wanted, we will give it. What we propose to do is to reconsider the schemes that will be submitted by the District School Boards. But as I told my friend yesterday, I am prepared to go to all districts, see to the District School Boards making out a plan and whatever sum may be necessary must be found by Government by any means, either by the means that have been suggested or by curtailing expenditure or by some other method. (Cries of "hear", "hear" from the Coalition Benches). The question of primary education cannot be stopped on the mere plea that there are no funds; that is an excuse which will not stand in our way

and I hope that all sections of the House will look upon our efforts with sympathy having regard to the fact that the question is a difficult one, and also one of great magnitude. The question is bristling with difficulties, but I hope that the best brains of Bengal coming to co-operate ought to be able to find a solution for one of the problems which will make Bengal a much better Bengal, a happier Bengal, a Bengal more worthy of the past than it has been at the present moment. Sir, I have not got the time to go further into details, I have already pointed out to the House practically what I had to say. I can again give the members this assurance that although we have not been able to make allotment in the budget by providing a fanciful sum, we have not been idle, we do not propose to be idle, we cannot afford to be idle. We have been proceeding forward, although slowly. Even then we have been able to make substantial progress. Sir, I hope I have been able to meet the main charges that have been levelled against us. (Khan Sahib HAMIDUDDIN AHMAD: What about Calcutta University?) Calcutta University, I leave, to defend itself.

SIR, with these few words I hope my friends will not press the motion to a division.

The motion of Miss Mira Dutta Gupta that the demand of Rs. 1,53,36,000 be reduced by Rs. 100, was then put and lost.

The motion of Mr. Maqbul Hossain that the demand of Rs. 1,53,36,000 be reduced by Rs. 100 was then put to the House and a division taken with the following result:—

AYES—60.

Abdul Jabbar Paiwan, Mr. Md.
Abdul Wahed, Maulvi.
Abu Hossain Sarkar, Maulvi.
Abul Fazl, Mr. Md.
Ahmed Khan, Mr. Syed.
Azimuddin Ahmed, Mr.
Banerji, Mr. P.
Banerjee, Mr. Pramatha Nath.
Banerji, Mr. Satya Priya.
Barma, Babu Promhari.
Barmaa, Babu Upendra Nath.
Basu, Mr. Santosh Kumar.
Biswas, Mr. Rasik Lal.
Biswas, Mr. Surendra Nath.
Bose, Mr. Sarat Chandra.
Chakraborty, Mr. Jatindra Nath.
Chakraborty, Babu Narendra Narayan.
Chattopadhyay, Mr. Haripada.
Chowdhuri, Rai Narendra Nath.
Das, Babu Mahim Chandra.
Das Gupta, Srijut Surendra Nath.
Datta, Mr. Dhirendra Nath.
Dolui, Mr. Narendra Nath.
Dutta, Mr. Sukumar.
Dutta Gupta, Miss Mira.
Emdadul Haque, Kazi.
Ghasiuddin Ahmed, Mr.
Gupta, Mr. Jogesh Chandra.
Hasan Ali Chowdhury, Mr. Syed.
Jonab Ali Majumdar, Maulvi.
Khan, Mr. Debendra Lall.
Kumar, Mr. Atul Chandra.
Kundu, Mr. Nishitha Nath.
Maitra, Mr. Surendra Mohan.
Majumdar, Mrs. Hemaprova.
Mandal, Mr. Amrita Lal.
Mandal, Mr. Jogendra Nath
Mandal, Mr. Krishna Prasad.
Maniruzzaman Islamabadi, Maulana Md.
Maqbul Hossain, Mr.
Mukerji, Mr. Dhirendra Narayan.
Mukherjee, Mr. B.
Mukherji, Dr. Sharat Chandra.
Mullick, Srijut Ashutosh.
Nasker, Mr. Hem Chandra.
Pramanik, Mr. Tarinicharan.
Ramiruddin Ahmed, Mr.
Ray Chaudhury, Mr. Birendra Kishore.

Roy, Mr. Charu Chandra.
Roy, Mr. Kamalkrishna.
Roy, Mr. Manmatha Nath.
Sanyal, Dr. Nalinaksha.
Sen, Mr. Atul Chandra.
Shahedali, Mr.
Shamsuddin Ahmed, Mr. M.
Singha, Babu Kshetra Nath.
Sinha, Srijut Manindra Bhusan.
Sur, Mr. Harendra Kumar.
Wahed Rahman, Maulvi.
Zaman, Mr. A. M. A.

NOES—75.

Abdul Aziz, Maulana Md.
Abdul Hafiz, Mr. Mirza.
Abdul Hafiz, Mr. Mia.
Abdul Hakim, Maulvi.
Abdul Hakim Vikrampuri, Maulvi Md.
Abdul Hamid, Mr. A. M.
Abdul Hamid Shah, Maulvi.
Abdul Majid, Mr. Syed.
Abdul Wahab Khan, Mr.
Abdulla-Al Mahmood, Mr.
Abdur Rahman Siddiqi, Mr.
Abdur Rasheed, Maulvi Md.
Abdur Razzak, Maulvi.
Abdus Shaheed, Maulvi Md.
Abul Hosain Ahmed, Mr.
Abul Quasem, Maulvi.
Ahmed Hossain, Mr.
Aminullah, Khan Sahib Maulvi.
Anwarul Azim, Khan Bahadur Md.
Ashrafali, Mr. M.
Asiad Hossain Khan, Maulvi.
Azhar Ali, Maulvi.
Badruddoja, Mr. Syed
Barat Ali, Mr. Md.
Chippendale, Mr. J. W.
Das, Mr. Anukul Chandra.
Edbar, Mr. Upendranath.
Farhad Raza Chowdhury, Mr. M.
Fazlul Huq, the Hon'ble Mr. A. K.
Fazlul Quadir, Khan Bahadur Maulvi.
Fazlur Rahman, Mr. (Dacca).
Golam Sarwar Hosaini, Mr. Shah Syed.
Gomes, Mr. P. A.
Gurung, Mr. Dumber Singh.
Gyasuddin Ahmed Choudhury, Alhadj.
Habibullah, the Hon'ble Nawab Bahadur K., of Dacca.
Hamiduddin Ahmad, Khan Sahib.
Hasanuzzaman, Maulvi Md.
Hosbem Ali Khan, Khan Bahadur Maulvi.
Hosina Mershed, Mrs., M.B.E.
Hatemally Jamadar, Khan Sahib Maulvi.
Idris Ahmed M'a, Maulvi.
Ispahani, Mr. M. A. H.
Jalaluddin Ahmad, Khan Bahadur Maulvi.
McGregor, Mr. G. G.
Mafizuddin Ahmed, Maulvi.
Mandal, Mr. Birat Chandra.
Mandal, Mr. Jagat Chandra.
Marindin, Mr. F. J.
Masud Ali Khan Panni, Maulvi.
Mezammel Huq, Maulvi Md.
Muhammad Afzal, Khan Sahib Maulvi Syed.
Muhammad Israil, Maulvi.
Mullick, the Hon'ble Mr. Mukunda Behary.
Mullick, Mr. Pulin Behary.
Musharruff Hossain, the Hon'ble Nawab, Khan Bahadur.
Mustafa Ali Dewan, Maulvi.
Nasarullah, Nawabzada K.
Nazimuddin, the Hon'ble Khwaja Sir, K.C.I.E.
Raikut, the Hon'ble Mr. Prasanna Deb.
Roy, the Hon'ble Sir Bijoy Prasad Singh.
Roy, Mr. Patiram.
Sahabe Alum, Mr. Syed.
Sadaruddin Ahmed, Mr.
Salim, Mr. S. A.
Sarkar, Babu Madhusudan.
Sarker, Mr. Nalini Ranjan.
Serajul Islam, Mr.
Shahabuddin, Mr. Khwaja, C.B.E.
Sirdar, Babu Litta Munda.
Steven, Mr. J. W. R.
Suhrawardy, the Hon'ble Mr. H. S.
Stark, Mr. A. F.
Tamizuddin Khan, the Hon'ble Mr.
Tofel Ahmed Choudhury, Maulvi Haji.

The Ayes being 60, and the Noes 75, the motion was lost.

The motion of the Hon'ble Mr. A. K. Fazlul Huq that a sum of Rs. 1,53,36,000 be granted for expenditure under the head "37—Education—General" was then put and agreed to.

Mr. SPEAKER: It seems that the next two items in the agenda, namely, Registration and Scientific Departments will have to be guillotined towards the end.

Dr. NALINAKSHA SANYAL: Why, Sir? That will take only five minutes.

Mr. SPEAKER: All right. The Hon'ble the Chief Minister will now move for the demand under the head "Registration".

11—Registration.

The Hon'ble Mr. A. K. FAZLUL HUQ: On the recommendation of His Excellency the Governor I beg to move that a sum of Rs. 24,64,000 be granted for expenditure under the head "11—Registration".

Mr. P. BANERJI: Sir, I beg to move that the demand of Rs. 24,64,000 under the head "11—Registration" be reduced by Rs. 100.

Sir, in this connection, I may tell the Hon'ble Minister that a similar motion about the abolition of the piece work system and introduction of the salary system (as per resolution carried in the Bengal Legislative Council on the 4th August, 1938), was tabled by Mr. Tamiuddin Khan on the 4th August, 1928, and supported by you, Sir, and the present Chief Minister who holds the portfolio to-day In the course of his speech while moving the resolution, Mr. Tamizuddin Khan said at that time that the grievances of copyists and typists in the Registration Department were legitimate. Subsequently, Sir, in reply to question No. 109 that was put in the Assembly last year the Hon'ble the Chief Minister said that the grievances of the employees of the Registration Department were genuine and the matter is being looked into. If we go into details of these grievances we shall find that in the year 1921 another motion was tabled and moved in the House carried unanimously When Sir Abdur Rahim was in charge of this portfolio, he gave an assurance that these employees would be put on the salaried basis, but 20 years have elapsed since then, but nothing has yet been done in the matter. Subsequently, in the year 1928, another resolution was passed which I have just mentioned 12 years have since passed and yet nothing has been done.

We find, Sir that there are more than 30 men in the Calcutta Registration Department only employed as extra copyists and while in the permanent cadre only eight. This shows that there is sufficient work for the extra copyists permanently. In 1936, i.e., before the present Government assumed office, you, Sir, were in charge of this department. You referred the matter to the Inspector-General of Registration, and as a result of that step these employees were divided into four groups according to seniority, and a direction was given by you in 1936 that the seniormost persons will get at least Rs. 25 to

Rs. 30; the second group will get Rs. 20 to Rs. 25; and the last group will get Rs. 15. But to my utter surprise, Sir, from 1938 this system has been altogether put a stop to during the time of the present Chief Minister.

It is very difficult, Sir, to discuss all the points within the short time at my disposal. But I would draw the Hon'ble Minister's attention to the fact that these employees have been working for so many years and they have given the best part of their life in the service of the Government. I understand that it is now in the contemplation of Government that some of them will be made permanent. I submit, Sir, the old employees who have been satisfactorily managing the work, should only be made permanent and not any outsiders. It is true that outsiders have also been brought in the department from time to time, but they have been put in the department as extra copyists only with a view to supersede the claims of old copyists. It is no use ignoring the claims of the old employees on the excuse that they are old and infirm and cannot do the work properly. These persons have not been found inefficient and they have been working quite satisfactorily. I hope, Sir, that justice will be done to them.

Mr. ASIMUDDIN AHMED: Sir, I beg to move that the demand of Rs. 24,64,000 under the head "11—Registration" be reduced by Rs. 100.

আমি বহুকাল যাবৎ Registration fee কমাবার জন্য আবেদন কোরে এসেছি। দলিলাদির ব্যাপারে Registration fee দিতে হয়। মানুষকে ডিক্রী জারি দেওয়ার জন্য ডিক্রীর দাবী ও নিলাম এর দাবীর বিপদে পোড়ে Registration fee দিতে হয়। Registration office এ অসুবিধা অনেক। Registration fee ছাড়া আরও অনেক রকম fee যেমন রসিদের fee, মোক্তারের fee এবং কেরাণীর দাবী ইত্যাদি অনেক রকম fee দিতে হয়। Registration office এর Sub-Registrar ও যে ঘুষের সরিক হন একথাও জানা যায়। আমি বহুকাল যাবৎ দাবী কোরে এসেছি যে Registration fee কমান হউক কেন না Registration থেকে যথেষ্ট আয় হয়। যে টাকা উদ্বৃত্ত হয় সেই টাকা থেকে Registration fee কমান যেতে পারে। আশা করি মাননীয় মন্ত্রী সাহেব এসম্বন্ধে সুবিবেচনা কোর্বেন।

Babu PREMHARI BARMA: Sir, I beg to move that the demand of Rs. 24,64,000 under the head "11—Registration" be reduced by Rs. 100.

Sir, the authorities of this department in the district of Dinajpur are totally ignoring the legitimate claims of the scheduled castes of Dinajpur. Sir, in the offices of this department in the district of Dinajpur, practically no scheduled caste has been appointed so far.

Vacancies frequently occur but scheduled castes are not appointed though suitable scheduled caste candidates apply for those vacancies. Recently, Sir, there were two vacancies for the post of Muharrirs in Dinajpur and in the advertisement though it was mentioned that preference would be given to scheduled castes and Muhammadans, no scheduled caste was appointed in spite of the fact that suitable scheduled caste candidates were there. Sir, I approached the authorities and put forward the claims of the scheduled castes and requested them to give one appointment to one of the scheduled caste candidates. But I was amazed with the argument why both the appointments should be given to the Muhammadans. The ground was that the full quota of Muhammadan appointments was not fully reached and hence both the appointments should go to the Muhammadans.

(At this stage the member having reached the time-limit resumed his seat.).

The Hon'ble Mr. A. K. FAZLUL HUQ: Sir, I have not had the advantage of listening to my friend Mr. P. Banerji, nor following what he was saying, so that I have got nothing to say, no comments to offer on what he has said.

As regards my friend Mr. Premhari Barma, I find that he has complained about the non-appointment of scheduled castes in this department in the district of Dinajpur. There are Sub-Registrars belonging to the scheduled castes in that district and therefore I do not know what he means when he says that there is none. The number of appointments is less than is required under the communal ratio, but we are trying to bring it up to the communal ratio in the case of future appointments.

As regards the other points, I make no comments and I don't think that there is any necessity.

The motion of Babu Premhari Barma that the demand of Rs. 24,64,000 under the head "11—Registration" be reduced by Rs. 100 was then put and lost.

The motion of Mr. Asimuddin Ahmed that the demand of Rs. 24,64,000 under the head "11—Registration" be reduced by Rs. 100 was then put and lost.

The motion of Mr. P. Banerji that the demand of Rs. 24,64,000 under the head "11—Registration" be reduced by Rs. 100 was then put and lost.

The motion of the Hon'ble Mr. A. K. Fazlul Huq that a sum of Rs. 24,64,000 be granted for expenditure under the head "11—Registration" was then put and agreed to.

36—Scientific Departments.

The Hon'ble Mr. A. K. FAZLUL HUQ: On the recommendation of His Excellency the Governor I beg to move that a sum of Rs. 30,200 be granted for expenditure under the head "36—Scientific Departments."

Dr. NALINAKSHA SANYAL: Sir, I beg to move the cut motion standing in my name. The motion is this:

That the demand of Rs. 30,200 under the head "36—Scientific Departments" be reduced by Rs. 100. The motion is for drawing the attention of Government to the valuable work done by the Indian Statistical Institute and the claim of that institution to substantial help from the Government of Bengal and I do not desire to take the time of the House by a speech.

The Hon'ble Mr. A. K. FAZLUL HUQ: Sir, I have nothing further to say. I am obliged to my friend Dr Sanyal for pointing that out to us We shall see what we can do.

The motion of Dr. Nalinaksha Sanyal that the demand of Rs. 30,200 under the head "36—Scientific Departments" be reduced by Rs. 100 was then put and lost.

The motion of the Hon'ble Mr. A K. Fazlul Huq that a sum of Rs. 30,200 be granted for expenditure under the head "36—Scientific Departments" was then put and agreed to.

Mr. SPEAKER: Before I adjourn I may inform the members that on Monday, Tuesday and Wednesday the 11th, 12th and 13th March respectively the House will also meet at 9-30 p.m. after dinner. On Monday and Tuesday nights the consideration of the Bengal Non-Agricultural Tenancy Bill will be taken up and on Wednesday night Dr. Nalinaksha Sanyal's motion for the revision of the Niemeyer Award and Mr. Nalini Ranjan Sarker's motion that an address on the same subject be presented to the Governor will be taken up. The House will meet as usual at 4-45 p.m. on those days and sit till 7-30 p.m. Then it will adjourn for dinner. After dinner it will meet again at 9-30 p.m. and sit till about 11-30 p.m. I am trying to get the agenda out this afternoon so that the members may get it tomorrow.

Adjournment.

It being 1-45 p.m.—

The House was adjourned till 4-45 p.m. on Monday, the 11th March, 1940, at the Assembly House, Calcutta.

Proceedings of the Bengal Legislative Assembly assembled under the provisions of the Government of India Act, 1935.

THE ASSEMBLY met in the Assembly House, Calcutta, on Monday, the 11th March, 1940, at 4-45 p.m.

Present:

Mr. Speaker (the Hon'ble Khan Bahadur M. AZIZUL HAQUE, C.I.E.) in the Chair, 10 Hon'ble Ministers and 221 members.

STARRED QUESTIONS

(to which oral answers were given)

Enhancement of rents for repair of embankments in the mauza Lohadaha, Murshidabad.

*212. **Mr. SASANKA SEKHAR SANYAL:** (*a*) Is the Hon'ble Minister in charge of the Revenue Department aware—

(*i*) that in mauza Lohadaha within Bharatpur police-station of the district of Murshidabad, the rent payable by tenants includes an enhancement by two annas per rupee specifically meant for the repair of embankments for protection of lands against floods;

(*ii*) that such repair is a charge upon the *patnidar;*

(*iii*) that in recent years floods have devastated the crops in lands within and near the mauza Lohadaha;

(*iv*) that in recent years no repairs have been done to the embankments; and

(*v*) that every year floods have overtaken the grown crops?

(*b*) Will the Hon'ble Minister be pleased to state—

(*i*) what steps the Government have taken towards repair of the embankments either by themselves or at the instance of the *patnidar;* and

(*ii*) whether any repairs have been done to the embankments in the Bengali years 1343, 1344, 1345 and 1346?

MINISTER in charge of the REVENUE DEPARTMENT (the Hon'ble Sir Bijoy Prasad Singh Roy): (*a*) (*i*) Yes, rents in respect of paddy lands only include an enhancement of annas two in the rupee for proper maintenance of the embankments by the *patnidars*.

(*ii*) Yes.

(*iii*) Paddy crops were damaged to a certain extent during 1938 and 1939 but *rabi* crops were not damaged.

(*iv*) Patch repairs were done to the embankments in March, 1939, by the *patnidars*.

(*v*) *Vide* (*iii*) above.

(*b*) (*i*) When breaches in the embankments were brought to the notice of the local officers, the *patnidars* were called upon to repair them.

(*ii*) Patch repairs were done in 1343, 1344 and 1345 B.S. Repairs are due in the current year 1346 B.S.

Mr. SASANKA SEKHAR SANYAL: Sir, it has been said in the answers (*b*) (*ii*) and (*a*) (*iv*) that patch repairs were done in 1343, 1344 and 1345 B.S. and March, 1939; is the Hon'ble Minister aware that in reply to a letter of the Collector asking for repairs, the *patnidars* and zemindars wrote to him to say that on account of financial stringency, they were unable to undertake the repairs?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Still the repairs were done.

Mr. SASANKA SEKHAR SANYAL: Sir, may I make a submission to you; I do not know in what form I should put the question. As a matter of fact, my knowledge of the locality as well as the answer given by the Collector go to show that in these three years—1343, 1344 and 1345 B.S., there was absolutely no repair done.

Mr. SPEAKER: But the answer is there.

Mr. SASANKA SEKHAR SANYAL: If I tell the Hon'ble Minister that in 1343, 1344 and 1345 B.S., there was no repair done and it is part of an official version of the matter, is he prepared to make a further enquiry into the matter?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: I speak from the information that I have in my possession. If the honourable member has further information than I have, I have nothing more to add to my reply.

Mr. SASANKA SEKHAR SANYAL: In view of the information I have given, will the Hon'ble Minister consider the desirability of forwarding the substance of my questions conveying the information to the District Officer with the request for necessary action?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: If the honourable member will give me the date and number of the correspondence, he is referring to, I shall certainly hold an enquiry.

Bund on the Katiganga, a lowland lying to the north of Berhampore town.

*213. **Mr. SASANKA SEKHAR SANYAL:** (*a*) Is the Hon'ble Minister in charge of the Communications and Works Department aware—

(*i*) that a little to the north of Berhampore town there is a lowland, partly under water and partly dry, known as Katiganga;

(*ii*) that thousands and thousands of *bighas* of land within the said Katiganga used to be cultivated with *aus* paddy and *chaitali* by numerous tenants under the Maharaja of Cossimbazar and others;

(*iii*) that the Katiganga is connected with the river Bhagirathi a little to the west of the Curzon bridge about a little to the north of the northern limit of the Berhampore Municipality;

(*iv*) that to prevent the standing *aus* paddy on the bed of the Katiganga and its banks from being washed away, a temporary bridge (*bund*) used to be set up annually from time immemorial;

(*v*) that the said *bund* used to be removed for access of water and fish from the river after the harvesting of paddy was completed;

(*vi*) that the right of the tenants to have the *bund* at least up to the end of *Sraban* every year was established in law suits;

(*vii*) that a few years back (2 or 3 years) the Irrigation Department and the zamindars prevented construction of the *bund* and prosecuted some villagers;

(*viii*) that for the last few years the said *bund* is not being set up; and

(*ix*) that the standing *aus* paddy is being washed away every year from thousands and thousands of *bighas* of land?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state what action the Government propose to take to avert the annual destruction of crops of numerous agriculturists?

MINISTER in charge of the COMMUNICATIONS and WORKS DEPARTMENT (the Hon'ble Maharaja Srischandra Nandy, of Cossimbazar): (*a*) (*i*) The Katiganga is an abandoned loop channel of the Bhagirathi river.

(*ii*) About 1,300 *bighas* of land were under *aus* cultivation. There was very little *chaitali* cultivation in the area.

(*iii*), (*v*) and (*viii*) Yes.

(*iv*) It was customary during a long period before 1934, for people of the locality to erect an unauthorised *bund* every year.

(*vi*) The tenants were allowed to erect the *bund* in accordance with the terms of a compromise decree in a suit between them and their landlord. The decree was between those two parties and was not binding on Government; it did not override the law prohibiting the erection of unauthorised *bunds* in the area in question.

(*vii*) The erection of the *bund* was stopped by the Collector in 1934 in the interest of sanitation and the conservancy of the river Bhagirathi after an enquiry had been held.

(*ix*) The area in question is 1,300 *bighas*.

(*b*) In the interest of a larger area of nearly 10,000 *bighas* which needs flushing through the Katiganga *bil* it is desirable that the latter should be kept open to the spill of the Bhagirathi river. I understand that *boro* or *rabi* crops can be grown in the area in question.

Mr. SASANKA SEKHAR SANYAL: Is the Hon'ble Minister aware that ever since 1934 when the interference with the erection of the bund by the Collector began, the tenants of this particular area have not collected any *aus* crop at all?

The Hon'ble Maharaja SRISCHANDRA NANDY, of Cossimbazar: It may be so.

Mr. SASANKA SEKHAR SANYAL: In view of the fact as elicited, will the Hon'ble Minister be pleased to consider the desirability of making an enquiry with a view to seeing that it is made possible for the tenants to get paddy from the lands?

The Hon'ble Maharaja SRISCHANDRA NANDY, of Cossimbazar: The question that has got to be considered in this case is which is the greater evil, i.e., whether by allowing the bund in question to

be put up, and thereby stop the spill and interfere with the flushing of nearly 10,000 bighas of land, or to allow the bund to be there and the crop grown in the earlier months of the Bengali year.

Mr. SASANKA SEKHAR SANYAL: Will the Hon'ble Minister be pleased to consider, if collection of paddy is not possible, the alternative question of giving remission of rent to the tenants of these lands?

The Hon'ble Maharaja SRISCHANDRA NANDY, of Cossimbazar: I am afraid, I do not understand what remission the honourable member has in view.

Mr. SASANKA SEKHAR SANYAL: The Hon'ble Minister might write to the landlord in question asking him either to take steps so that collection of paddy is made possible or in the alternative to give the tenants remission of rent.

The Hon'ble Maharaja SRISCHANDRA NANDY, of Cossimbazar: I am not quite sure if the landlord in question can not be persuaded to make any partial remission in the rent in years when the tenants do not get their crops. I do not see any reason why that should not be done.

UNSTARRED QUESTIONS

(to which answers were laid on the table)

Organisation of pottery works for the employment of ex-detenus.

95. Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister in charge of the Agriculture and Industries Department be pleased to state—

(*a*) the Memorandum and Articles of Association and any other document explaining the constitution of the pottery works organised by the Director of Industries at Belghurria for the employment of ex-detenus, and showing clearly the position regarding ownership and management of the potteries and the relation between the owners of the factory and the Government of Bengal or any department or officer of Government;

(*b*) how much money has been spent or advanced from public funds so far on account of—

(*i*) capital, and

(*ii*) revenue expenses,

year to year, of this factory;

(*c*) how much capital and revenue expenses, if any, have been met from other sources;

(*d*) what were the gross and net monthly value of outputs of the factory during the last twelve months;

(*e*) what were the respective amounts of money realised from the sale of the products;

(*f*) the name or names of—

(*i*) contractors who have constructed the factory and erected the machinery,

(*ii*) those who have or are supplying raw materials and distributing the finished products of the factory, and

(*iii*) the person or persons who selected them;

(*g*) the name of the Auditor of the potteries and a copy of the latest audit report, if any;

(*h*) what have been the profits, if any, made by the factory so far; and

(*i*) how have they been distributed?

MINISTER in charge of the AGRICULTURE and INDUSTRIES DEPARTMENT (the Hon'ble Mr. Tamizuddin Khan): (*a*) The Art and United Potteries at Belghurria organised by the Director of Industries to provide employment in the pottery industry to a number of ex-detenus was formed by the amalgamation of two separate concerns—the Art Potteries and the United Potteries. These two concerns were formed by successive batches of ex-detenus who were trained in pottery work at Government training centres, each ex-detenu on completion of his training being provided by Government with a loan, so that by forming themselves into suitable groups they were able to provide amongst themselves the capital necessary to start pottery business. The amalgamation of the two concerns was voluntarily made, under the advice of the Director of Industries, by the partners concerned with a view to pool resources and reduce overhead costs. The Art and United Potteries is not a registered company but a partnership concern. There are no Memoranda of Association and no Articles of Agreement. The only documents existing are the mortgage bonds executed by the partners

under the terms of which the property and machinery, etc., of the concern are hypothecated to Government in return for the advances given to the ex-detenus. The owners of the concern are the ex-detenu partners subject to these mortgage bonds. The relation between the owners and Government is that between mortgagee and mortgagor. The concern is managed by a small body of partners formed for the purpose under the guidance of the Director of Industries.

(*b*) (*i*) Capital advanced by Government—Rs. 3,61,173.

(*ii*) The only expenditure incurred from provincial funds for this factory is the pay of a Supervising Inspector, who is a technical expert, at Rs. 150 per month.

(*c*) and (*d*) I regret that I cannot disclose this information without serious risk of material damage to the concern by interested business rivals

(*e*) Accurate figures will be available after the audit of the factory which is now being taken up. All I can say now is that realisation of sale-proceeds has been good on the whole.

(*f*) (*i*) and (*ii*) Two statements A and B are laid on the table.

(*iii*) Selection was made by the Director of Industries at the request of the partners

(*g*) The first audit is just about to begin. It will be made by Messrs Roy and Roy, Chartered Accountants.

(*h*) and (*i*) This information will be available after the audit is completed.

Statement A referred to in the reply to clause (f) (i) of unstarred question No. 95.

Names of the firms which constructed factory buildings, sheds, kilns, etc., and supplied materials:—

Railway Standard Engineering Works.

A D. Gupta.

R. K. Roy & Sons.

Behar Potteries Limited.

Reliance Firebricks and Pottery Works Limited.

Ali Bux Mistry.

Bibhuti Bhusan Ghose.

Sasadhar Banerjee and others.

Names of the firms who have done erection of machinery:—

P. N. Dutt.

R. K. Roy & Sons.

Peco Engineering Works.

Kusum Engineering Works.

Statement B referred to in the reply to clause (f) (ii) of unstarred question No. 95.

There are no fixed contractors for the supply of raw materials. Raw materials so far have been obtained from the following firms:—

Calcutta Mineral Supply Syndicate, Limited.

Sudletowa China Clay Mines.

Singbhum Mineral Company.

National Mineral Supply Company.

Reliance Firebrick and Pottery Company.

Mohammad Amin.

Sen Mining Company.

R. K. Roy & Sons.

Imperial Chemical Industries (India), Limited.

Baranagore Engineering Company.

Bengal Chemical and Pharmaceutical Works, Limited.

All-Bengal Supply Syndicate.

Birkmyre Bros., Ltd.

Burn & Co., Ltd., etc.

The finished products were previously distributed by Messrs. Prakash Trading Company, and now by Messrs. Chimanlal Desai & Co.

Dr. NALINAKSHA SANYAL: With reference to answer (*a*), will the Hon'ble Minister be pleased to state under what arrangement these groups of ex-detenus have been grouped into a concern—whether it is under the Indian Companies Act or any other Act entitling them to partnership?

The Hon'ble Mr. TAMIZUDDIN KHAN: I think, Sir, that question had already been answered—not under the Companies Act.

Dr. NALINAKSHA SANYAL: Sir, my question was—the Memorandum and Articles of Association and any other document explaining the constitution—and nothing is given here. The answer only says—"the Art and United Potteries is not a registered company but a partnership concern." Sir, I wanted to know under what Act this partnership has been constituted, so that if it is a partnership, there must be some kind of Memorandum or some kind of Articles of Association and these people must have some rights.

Mr. SPEAKER: It is not under the Indian Companies Act.

Dr. NALINAKSHA SANYAL: Sir, I want to know whether the boys have any legal status—any legal right as owners of these two potteries.

The Hon'ble Mr. TAMIZUDDIN KHAN: Certainly they have a legal right.

Mr. ATUL KRISHNA GHOSE: Will the Hon'ble Minister be pleased to state whether there is any registered deed of partnership?

The Hon'ble Mr. TAMIZUDDIN KHAN: No, Sir.

Mr. ATUL KRISHNA GHOSE: Then what is the legal document?

The Hon'ble Mr. TAMIZUDDIN KHAN: The mortgage bond is between the detenus and the Government and this will show that they are the partners and that they have got the proprietory right.

Mr. ATUL KRISHNA GHOSE: Will the Hon'ble Minister be pleased to state whether there is any legal validity of these partners?

Mr. SPEAKER: That is a question of legal opinion.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state what has been the security against which Government has advanced loans to these concerns?

The Hon'ble Mr. TAMIZUDDIN KHAN: I have already stated that in my answer.

Dr. NALINAKSHA SANYAL: Sir, the answer is beautifully vague. I want specifically to know whether apart from what Government themselves have advanced, there is any other amount of money

brought by these young men on their own account; it is stated in the answers (*c*) and (*d*)—"I cannot disclose this information without serious risk of material damage to the concern by interested business rivals".

The Hon'ble Mr. TAMIZUDDIN KHAN: That is another question.

Dr. NALINAKSHA SANYAL: Sir, the questions (*c*) and (*d*) say "how much capital and revenue expenses, if any, have been met from other sources"; so, I have asked the connected question, namely, is there any capital other than the capital advanced by Government?

The Hon'ble Mr. TAMIZUDDIN KHAN: I have chosen not to disclose that.

Mr. ABDUL WAHAB KHAN: Will the Hon'ble Minister be pleased to state the total amount of advance made to the ex-detenus under hypothecation of machinery and plants?

The Hon'ble Mr. TAMIZUDDIN KHAN: I refer my friend to answer (*f*) (*c*). Beyond that I am not in a position to say anything.

Mr. ABDUL WAHAB KHAN: Will the Hon'ble Minister be pleased to state the number of instalments and the number of years by which this loan is repayable under the contract?

The Hon'ble Mr. TAMIZUDDIN KHAN: Sir, It is a mortgage bond. I do not think there is any rate of instalment mentioned in the bond.

Mr. ABDUL WAHAB KHAN: Will the Hon'ble Minister be pleased to state what is the date by which the debt is repayable under the terms of the contract?

The Hon'ble Mr. TAMIZUDDIN KHAN: I want notice.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state if it is a fact that the mortgage bonds were signed by the young men and no actual money was at any stage transferred or any consideration passed on to them?

The Hon'ble Mr. TAMIZUDDIN KHAN: I do not know. Probably the money was advanced before the mortgage bond was actually executed.

Dr. NALINAKSHA SANYAL: Sir, I would like to know definitely if at any stage any money had been actually advanced, because my friends in the Coalition Party raised objections in regard to Money-lenders Bill that sometimes money-lenders advance money without actually paying out the money May I know whether this is a case like that?

The Hon'ble Mr. TAMIZUDDIN KHAN: Sir, my friend is probably trying to create evidence for future suit. I am not going to help him in that respect. My answer to that question is that I am not in possession of further facts than I have stated in my answer in respect of this matter.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state if it is a fact that all payments on account of this pottery have been and are still being made on cheques endorsed by the Director of Industries?

The Hon'ble Mr. TAMIZUDDIN KHAN: Sir, I want notice.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state if it is a fact that some of the partners are called absentee partners who are paid Rs. 10 allowance per month while others who are active partners and who originally used to get Rs. 40 are now allowed Rs. 25 per month?

The Hon'ble Mr. TAMIZUDDIN KHAN: I do not know who are called absentee partners.

Mr. ABDULLA-AL MAHMOOD: Will the Hon'ble Minister be pleased to state the present value of the machinery that has been mortgaged to Government?

The Hon'ble Mr. TAMIZUDDIN KHAN: Sir, I do not think the present value has been assessed. There is going to be an audit very soon and something may be done at that time

Mr. ABDULLA-AL MAHMOOD: Will the Hon'ble Minister be pleased to state whether the machinery indented was in the name of Government or in the name of the parties?

The Hon'ble Mr. TAMIZUDDIN KHAN: I do not know, Sir.

Mr. SPEAKER: Sometimes I do not understand why on these matters so many questions should be put. These are, I think, matters not within the time of the Hon'ble Minister.

Dr. NALINAKSHA SANYAL: These are of recent times.

Mr. SPEAKER: Recent times?

Dr. NALINAKSHA SANYAL: Certainly, Sir. Will the Hon'ble Minister be pleased to state when the auditor has been appointed and whether the first year's operation has been by this time audited or not? If not, why not?

The Hon'ble Mr. TAMIZUDDIN KHAN: I refer my friend to answer (*g*). The first audit is just about to begin. It will be audited by Messrs. Roy and Roy, Chartered Accountants.

Dr. NALINAKSHA SANYAL: I wanted to know just now when the auditor was appointed? Whether he was appointed after my question was sent?

The Hon'ble Mr. TAMIZUDDIN KHAN: I cannot possibly say that.

Mr. ABDULLA-AL MAHMOOD: Will the Hon'ble Minister be pleased to state whether the Government ever appointed any auditor to check the accounts of this company?

The Hon'ble Mr. TAMIZUDDIN KHAN: Yes, Sir. The first audit is going to be made very soon.

Mr. A. M. ABDUL HAMID: Is the money so advanced at all repayable?

The Hon'ble Mr. TAMIZUDDIN KHAN: That is a matter which can be answered only after elaborate investigation.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state whether it is a fact that the selection of the firms and contractors was made by and with the authority of the Director of Industries and not by those boys who are supposed to be proprietors of the firm?

The Hon'ble Mr. TAMIZUDDIN KHAN: Sir, is that a proper question?

Mr. SPEAKER: I am afraid I have not understood the question.

Dr. NALINAKSHA SANYAL: With reference to statement (A) in answer to my question (*f*) (*i*)——

Mr. SPEAKER: On that the answer is "Selection was made by the Director of Industries at the request of the partners". What is your question?

Dr. NALINAKSHA SANYAL: My question is whether it is a fact that the selection was done by the Director of Industries personally without consultation with the proprietors or partners concerned?

The Hon'ble Mr. TAMIZUDDIN KHAN: I have already stated that if was done at the request of the partners.

Dr. NALINAKSHA SANYAL: May I know whether the request was a general request or specific with regard to a particular matter?

The Hon'ble Mr. TAMIZUDDIN KHAN: Sir, I do not know how my friend expects me to give all these details. I must have notice.

Dr. NALINAKSHA SANYAL: Mr. Speaker, Sir, there is not the slightest intention on my part to embarrass the Hon'ble Minister. Here is a clear instance in which the Public Accounts Committee is interested.

Mr. SPEAKER: You have got sufficient materials to raise it in the budget speech.

Dr. NALINAKSHA SANYAL: Sir, we do not find much time there As a matter of fact I wanted a reply from the Hon'ble Minister to enable me to speak something in the budget.

Mr. SPEAKER: You have got quite enough material, and you may do whatever you like on that.

Dr. NALINAKSHA SANYAL: May I know if Messrs. Roy and Sons have been recommended to be given the substantial contracts by an Hon'ble Minister?

Mr. SPEAKER: That question does not arise.

Dr. NALINAKSHA SANYAL: May I know who introduced these contractors?

Mr. SPEAKER: How do you assume that they have been introduced?

Dr. NALINAKSHA SANYAL: Were contracts given on the basis of any open tender?

The Hon'ble Mr. TAMIZUDDIN KHAN: That is the usual course, but in any particular case whether contract was given on open tender or not, how can I supply my honourable friend with information like that?

Mr. SPEAKER: Why not ask for notice?

The Hon'ble Mr. TAMIZUDDIN KHAN: I want notice.

Appointments on the results of the Bengal Civil Service Examination, 1939.

96. Mr. DHIRENDRA NATH DATTA: (*a*) Will the Hon'ble Minister in charge of the Home Department be pleased to state—

(*i*) when was the examination for recruitment for the Bengal Civil Service (Executive) held in the year 1939;

(*ii*) when and by whom were the results communicated to the successful candidates;

(*iii*) the number and names of the successful candidates; and

(*iv*) whether the appointments of the successful candidates have been published in the *Calcutta Gazette*?

(*b*) If the answer to (*a*) (*iv*) is in the negative, will the Hon'ble Minister be pleased to state the reason therefor?

MINISTER in charge of the HOME DEPARTMENT (the Hon'ble Khwaja Sir Nazimuddin): (*a*) (*i*) In February, 1939.

(*ii*) On the 17th February, 1940, by the Home (Appointment) Department.

(*iii*) The honourable member is referred to the answer to starred question No. 153 given in the House on the 29th February, 1940.

(*iv*) Yes.

(*b*) Does not arise.

Mr. DHIRENDRA NATH DATTA: Will the Hon'ble Minister be pleased to state if it is a fact that the result of the examination was communicated to the candidates by the Public Service Commission long before it was communicated by the Home Department?

The Hon'ble Khwaja Sir NAZIMUDDIN: Sir, the result of the examination was communicated by the Public Service Commission. The successful candidates were informed by the Home (Appointment)

Department on the 17th February, 1940. It is a competitive examination and appointments are made on the basis of that examination and the information as to who are going to be appointed is supplied by the Home Department.

Mr. DHIRENDRA NATH DATTA: Is it not a fact that the Public Service Commission informed the candidates that they have passed the competitive examination?

Mr. SPEAKER: The Hon'ble Minister is not responsible for the Public Service Commission.

Mr. DHIRENDRA NATH DATTA: Is not the Hon'ble Minister aware of the fact?

The Hon'ble Khwaja Sir NAZIMUDDIN: Sir, I have already stated that it is a competitive examination and passing an examination does not mean that one is going to get the appointment.

Mr. DHIRENDRA NATH DATTA: Sir, it is not an answer to my question. Is not the Hon'ble Minister aware of the fact that the Public Service Commission communicated the result to the candidates?

Mr. SPEAKER: He has said "Yes".

Arrangement for Jumma and Id prayers in Kurigram sub-jail.

97. Kazi EMDADUL HAQUE: (*a*) Will the Hon'ble Minister in charge of the Home (Jails) Department be pleased to state whether there is any arrangement for the prisoners in the Kurigram sub-jail to perform their *Jumma* and *Id* prayers?

(*b*) If so, is there any permanent *Khatib* to lead such prayers?

(*c*) If the answer to (*b*) is in the affirmative, will the Hon'ble Minister be pleased to state—

(*i*) who is the *Khatib* at present;

(*ii*) what is his remuneration; and

(*iii*) from what source?

(*d*) If there is no permanent *Khatib*, is the Hon'ble Minister considering the desirability of appointing a permanent man for leading the prayer on Fridays and *Id* days?

The Hon'ble Khwaja Sir NAZIMUDDIN: (*a*) Yes.

(*b*) There is no permanent *Khatib* for leading the *Jumma* prayers but there is one for conducting *Id* prayers.

(*c*) (*i*) Maulvi Muhammad Ibrahim, the Imam of the Court Mosque, is the present *Khatib* for *Id* prayers.

(*ii*) A conveyance allowance of Re. 1-8 on each occasion if claimed by him.

(*iii*) From the sub-jails allotment under the head—"Other contingent charges".

(*d*) The appointment of any *Khatib* for leading the *Jumma* prayers is not considered necessary as the prisoners themselves select one of them as *Khatib* for leading such prayers.

Whereabouts of prisoner Abdul Gahur who ran mad from Dacca Jail.

98. SJ. NARENDRA NATH DAS GUPTA: (*a*) Is the Hon'ble Minister in charge of the Home (Jails) Department aware—

(*i*) that one Abdul Gahur *alias* Gaharaddi, son of Karimuddi Howladar of Hetalia (*alias*) Charkhali, police-station Bhandharia, district Barisal, was sentenced to transportation for life by the First Additional Sessions Judge of Barisal under section 302, in the month of June, 1921;

(*ii*) that his father was informed that Abdul Gahur ran mad from the Dacca Jail;

(*iii*) that after the death of the father of the said prisoner, Srijut Shashi Prosanna Das, landlord of the said prisoner, on behalf of his orphan sons enquired about the whereabouts of Abdul Gahur in a registered letter addressed to the Inspector-General of Prisons on the 12th November, 1938; a reminder was sent to the Inspector-General of Prisons on the 9th December, 1938, and another letter was sent to the Minister, Home Department, on the 6th January, 1939;

(*iv*) that on the 19th January, 1939, Srijut Shashi Prosanna Das was replied to by the Assistant Secretary to the Government of Bengal that his letter has been forwarded to the Inspector-General of Prisons for disposal;

(*v*) that on the 6th April, 1939, Shashi Babu received a letter from the Inspector-General of Prisons stating that necessary action is being taken to trace the whereabouts of the prisoner Abdul Gahur;

(*vi*) that on the 30th September, 1939, another letter was received by Shashi Babu from the Inspector-General of Prisons stating "it has not been possible to trace out the whereabouts of prisoner Abdul Gahur although several references on the subject were made to different authorities"; and

(*vii*) that another letter from Shashi Babu later elicited no reply as yet?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state whether the whereabouts of Abdul Gahur have been traced as yet?

The Hon'ble Khwaja Sir NAZIMUDDIN: (*a*) (*i*) and (*iv*) Yes.

(*ii*) I have no information, but it is a fact that he was transferred from jail to a mental hospital.

(*iii*) The letters referred to were received from Babu Shashi Prosanna Das.

(*v*) Letters, dated the 6th April, 1939, and the 20th May, 1939, were sent conveying this information.

(*vi*) Another letter to this effect was sent on the 30th September, 1939.

(*vii*) A reply to the letter mentioned was sent on the 6th February, 1940.

(*b*) He died on the 25th May, 1925.

Sj. NARENDRA NATH DAS GUPTA: Will the Hon'ble Minister be pleased to state on what day did the prisoner Abdul Gahur die?

The Hon'ble Khwaja Sir NAZIMUDDIN: Sir, I ask for notice.

Sj. NARENDRA NATH DAS GUPTA: Will the Hon'ble Minister be pleased to state why although the prisiner died in 1925, his relatives were not informed up till now?

The Hon'ble Khwaja Sir NAZIMUDDIN: According to my information the relatives of the prisoner were informed of his death in June, 1925, through the Officer-in-charge of the Bhandharia police-station.

Mr. SYED JALALUDDIN HASHEMY: With reference to answer (*a*) (*ii*), will the Hon'ble Minister be pleased to state the name of the jail from which the prisoner was transferred to the mental hospital?

The Hon'ble Khwaja Sir NAZIMUDDIN: It is a very old case. Most of the records have been destroyed and it is only by accident that we came across the fact that the prisoner died on the 25th May, 1925. It was then communicated to the relatives of the prisoner through the Officer-in-charge of the Bhandharia police-station. So I am not in a position to say definitely in what jail he died.

Mr. SYED JALALUDDIN HASHEMY: With reference to answer (*a*) (*ii*), where the Hon'ble Minister says "I have no information, but it is a fact that he was transferred from jail to a mental hospital", I want to know from which jail he was transferred to which mental hospital.

Mr. SPEAKER: It is too old a case and the records have been destroyed.

Mr. SYED JALALUDDIN HASHEMY: Will the Hon'ble Minister be pleased to state whether it is the duty of the jail authorities to bring the records up to prisoners who are generally sent from jail to a mental hospital?

Mr. SPEAKER: That question does not arise.

Sj. NARENDRA NATH DAS GUPTA: Will the Hon'ble Minister be pleased to state, if the information was sent through the thana officer under the jurisdiction of the prisoner, why was it that up till now, that is, 6th February, the relatives as well as those interested in the fate of the prisoner did not get any information whatsoever?

The Hon'ble Khwaja Sir NAZIMUDDIN: As I have stated, Sir, the records have been destroyed. This is all the information that I have in my possession and I have nothing further to add.

Administration of Jotedars' Fund in the Western Duars Khas Mahal.

99. Mr. KHAGENDRA NATH DAS GUPTA: (*a*) Is the Hon'ble Minister in charge of the Revenue Department aware—

(*i*) that in the Western Duars Government *khas mahal* in the Jalpaiguri district there is a fund called Jotedars' Fund collected by the *khas mahal* Tahsildars from amongst the *jotedars* of the area;

(*ii*) that the administrator of this fund is the Deputy Commissioner, Jalpaiguri, and the Controlling Officer is the Commissioner, Rajshahi Division;

(*iii*) that 25 per cent. of the collected amount of this fund goes to the collecting officers as their remuneration;

(*iv*) that this fund is said to be a voluntary one but the *jotedars* are compelled to contribute to this fund at the time of their payment of rent even against their will; and

(*v*) that the *jotedars* have practically no hand in the disposal of this fund?

(*b*) Will the Hon'ble Minister be pleased to lay on the table a statement showing for the last five years the accounts of this fund?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: (*a*) (*i*) and (*ii*) Yes.

(*iii*) No; the average percentage of cost of collection for the last 5 years is only 6·1.

(*iv*) It is not a fact that the *jotedars* are compelled to contribute to this fund; the utility of the fund is explained to them and any voluntary contribution made, is accepted.

(*v*) No; the *jotedars* exercise all control over the fund which is administered by a Committee of 16 leading *jotedars* nominated by the Tahsildar and appointed by the Deputy Commissioner for each *tahsil*.

(*b*) A statement is laid on the table.

Statement referred to in the reply to clause (b) of unstarred question No. 99, showing receipt and expenditure of the Jotedars' Fund for the years 1934-35 to 1938-39.

Year.	Receipt.	Expenditure.							
		Establishment and contingencies.	Education	Agriculture	Sanitation.	Medical	Roads and communications.	Miscellaneous.	Total.
	Rs.	Rs	Rs.	Rs.	Rs.	Rs	Rs.	Rs.	Rs.
1934-35 ..	5,676	288	2,144	223	..	1,397	..	342	4,394
1935-36 ..	6,214	315	2,338	110	15	1,618	50	103	4,549
1936-37 .	7,012	356	2,752	256	265	1,590	98	381	5,698
1937-38 ..	5,848	380	2,624	748	180	1,516	495	149	6,092
1938-39 ..	5,656	439	2,722	535	247	1,377	289	391	6,000

Mr. NISHITHA NATH KUNDU: Will the Hon'ble Minister be pleased to state if receipts are granted to the tenants and accounts regularly kept and audited?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Yes, Sir.

Babu KHAGENDRA NATH DAS GUPTA: With reference to answer (*a*) (*v*), will the Hon'ble Minister be pleased to state if it is a fact that Tashildars are ex-officio Chairmen of these Committees?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Yes, they are.

Mr. NISHITHA NATH KUNDU: With reference to answer (*a*) (*v*), are we to understand that proposals for expenditure are put up before the Committee and passed by it and records of their resolution are kept in the Minute Book?

Mr. SPEAKER: That question does not arise. You cannot ask about details, you can ask generally.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state if it is a fact that this jotedars' fund is paid by the jotedars in lieu of certain extra legal advantages granted to them by the Commissioner with regard to tyranny over tenants?

Mr. SPEAKER: That question does not arise.

Babu KHAGENDRA NATH DAS GUPTA: With reference to answer (*a*) (*v*), will the Hon'ble Minister be pleased to state if it is a fact that the nominated jotedars practically find no option but to support the tahsildars?

Mr. SPEAKER: How can the Hon'ble Minister answer that? He is not responsible for this.

Mr. NISHITHA NATH KUNDU: Will the Hon'ble Minister be pleased to clarify how the fund is administered by the committee consisting of jotedars?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: The committee allots the amounts to be spent on each item.

Contracts for Civil Works.

100. Maulvi AHMED ALI MRIDHA: (*a*) Will the Hon'ble Minister in charge of the Communications and Works Department be pleased to state what percentage of the amount is reserved for the contractors for his profit over and above the cost of materials, labour and miscellaneous charges incidental to the execution of the work in preparing estimates for civil works?

(*b*) Is it a fact that the contractors submit tenders at lower rates than those provided in the estimates?

(*c*) How many contracts were given to the contractors for amount of Rs. 20,000 and over in the year 1939-40 in the Presidency Circle?

(*d*) In how many of those cases tenders at rates lower than the estimated rates were accepted?

(*e*) What was the maximum and what was the minimum of such less percentage?

(*f*) How many of those contractors had experience of less than—(1) 5 years, and (2) 10 years?

(*g*) How long is the system of accepting tenders at lower than the estimated rates continuing in all the four circles?

The Hon'ble Maharaja SRISCHANDRA NANDY, of Cossimbazar: (*a*) Estimates are prepared on the basis of scheduled rates, which are ordinarily calculated by reference to rates actually quoted by tenderers over a period in respect of which a fair average can be determined. When a rate for a particular item cannot be calculated in this way it is usual to do so by taking into account the costs referred to by the honourable member and allowing a profit of 10 per cent.

(*b*) Tendered rates may be lower or higher than those on which estimates are based.

(*c*) to (*f*) It will take a considerable time to collect the desired information, but I shall endeavour to obtain it and communicate it to the honourable member in due course.

(*g*) I do not understand the question. As I have said, it may happen that tendered rates are higher than those allowed for in the estimates.

Maulvi AHMED ALI MRIDHA: With reference to answer (*g*), namely, "I do not understand it" and to answers (*c*) to (*f*) where it has been stated, "It will take a considerable time to collect the desired information, but I shall endeavour to obtain it and communicate it to the honourable member in due course", I want to know whether there is a systematic loss incurred by the contractors so that I would ascribe it to be an eye-wash——

Mr. SPEAKER: That is not a question. You can raise that point in the budget discussion.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state if he is aware that different schedules are maintained even in Calcutta by the City Division and Suburban Division; in some cases the schedules maintained by the one are higher than the schedules maintained by the other?

The Hon'ble Maharaja SRISCHANDRA NANDY, of Cossimbazar: May be in certain cases.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state the reason for maintaining different schedules for work in and around the city of Calcutta for two classes of work, one under the City Division and the other under the Suburban Division?

The Hon'ble Maharaja SRISCHANDRA NANDY, of Cossimbazar: As I have stated, Sir, it is not usual. But there may be instances of slight variations which it is very difficult for me to speak about off-hand.

Dr. NALINAKSHA SANYAL: Does the Hon'ble Minister consider the desirability of enquiring into the matter so that a uniform schedule for similar work may be maintained by Government?

The Hon'ble Maharaja SRISCHANDRA NANDY, of Cossimbazar: I may inform the honourable member that I have already taken up the question

Adjournment motion.

Dr. SURESH CHANDRA BANERJEE: May I remind you, Sir, that I gave notice of an adjournment motion?

Mr. SPEAKER: I think that motion is not in order

DEMANDS FOR GRANTS.

29—Police.

Mr. SPEAKER: There is another demand to be taken up to-day, viz., Jails. Will it be convenient if we close the debate on Police at 6-45 p.m., leaving 45 minutes for Jails? Or, we may close the debate on Police demand at 6-30 p.m. so that there may be exactly one hour left for Jails.

(Cries of 'No objection".)

The Hon'ble Khwaja Sir NAZIMUDDIN: Sir, on the recommendation of His Excellency the Governor I beg to move that a sum of Rs. 2,12,92,000 be granted for expenditure under the head "29—Police".

Sir, in view of the very short time given for discussion on this demand I do not propose to make a speech in the beginning.

Mr. JOGESH CHANDRA GUPTA: Brevity is the soul of wisdom! (Laughter.)

Mr. ATUL CHANDRA SEN: Sir, I beg to move that the demand of Rs. 2,12,92,000 for expenditure under the head "29—Police" be reduced by Rs. 100

Sir, I had an occasion outside this House not very long ago to join issue with the Hon'ble the Home Minister about an act of police *zulum* in a place which subsequently became my constituency for this House. The Hon'ble Minister may perhaps remember the Sabhar Congress Flag incident the forcible snatching away of the National Flag and *lathi* charge by the police on innocent young school boys almost before his nose. Sir, on that occasion I joined issue with the Hon'ble Home Minister over that particular incident and to-day I venture to join issue with him over the whole range of the police administration in the Presidency I hope the Hon'ble the Home Minister will kindly listen to me with some patience unlike the other day when he made an unseemly exhibition of constabulary conduct on the floor of the House when another honourable member was speaking and making a severe indictment of his administration

Sir, my charge-sheet against the police is plain and unambiguous. I say it has three characteristics, viz., inefficiency, abuse and maladministration. Within the short time at my disposal, I do not propose to deal with abuse and maladministration separately but I shall place them under one head "abuse" and shall deal with it at some length as I proceed.

Sir, I have in my hand a copy of the "Report of the Police Administration in the Bengal Presidency for the year 1938" by Mr. A. D. Gordon, C.I.E., Inspector-General of Police, Bengal. A very nicely written and nicely printed book with very nice things said about police men and police officers by the Police Chief in the usual fashion of a mutual admiration society. I wish I could read extracts from this book to my honourable friends; I also wish I could read extracts from the Hon'ble Home Minister's last two years' Police Parade speeches in Calcutta and Dacca. Unfortunately I have no time at my disposal to do so. Referring to these precious documents I will merely say that in spite of the very clever and interesting window-dressing and skilful parading of figures in the police report and the grandiloquent phrases in the Hon'ble the Home Minister's speeches there are some very ugly features in the police administration which cannot be concealed from the critical eye. Let me mention here one such ugly feature. A cursory glance at statement "I" on

page 70 shows that there has been a marked increase in some serious crimes including theft, housebreaking, etc., on the quinquennial average of the five years from 1933 to 1937, i.e., the five years just previous to the advent of the present Government. This is a state of things on which the Hon'ble the Minister in charge of Law and Order cannot certainly congratulate himself and his police officers and men. Sir, if it shows anything it shows the most lamentable and hopeless lack of efficiency in the department placed under his charge.

Next I will refer to three classes of crimes—not all from the police chief's report referred to—but just as they occur to my mind—crimes of a very serious nature which of late have been a veritable menace to society, namely: (1) crimes against women, (2) defilement of temples and deities, and (3) organised paddy looting and similar other countryside hooliganism in some Eastern Bengal districts. I say with all the emphasis at my command that the Government and the police have shown a most lamentable lack of efficiency in dealing with these classes of crimes, nay, I would go further and say that the police have shown almost criminal indifference in some cases.

Now, Sir, let me take up offences against women, first. According to the Police Chief's Report which I have just referred to, we find that in the year 1938-39 there have been reported as many as 1,087 cases of offences against women, as against 788 in 1937. If I could give here and now the past few years' figures of this crime as well as the figures for 1939 I could show that this crime was definitely on the increase and the police had practically taken no steps for stamping out this crime from Bengal. Sir, from reports published from time to time in the English as well as in the Vernacular press of the province of hapless women victims of human lust being forcibly carried away and dragged from place to place and subjected to organised brutalities of a most revolting nature for days, for weeks and for months together even after the police have been informed—from these reports one feels inclined even to charge the police with connivance at these crimes. Sir, I make this statement with the fullest sense of responsibility. The police have their Criminal Investigation Department, their Intelligence Branch, their watchers and their whole army of officers and men who show more than human ingenuity and alertness when they have to deal with a so-called political crime—often times a political no-crime—but, the police become absolutely paralysed and benumbed as if by conspiracy, when they are called upon to deal with this most abominable and revolting crime against womanhood. Sir, this is a state of things of which any Government worth the name ought to be ashamed, even not excepting this Government composed of men some of whom, before they took office, either spoke with frivolousness about these crimes or opposed measures which were passed by the Legislature for dealing

with these crimes effectively in spite of the frivolous opposition. The Hon'ble Mr. Suhrawardy, I do not know if he is here, perhaps he is not here—has not perhaps forgotten how he was administered a sharp rebuke by the then Law Member, Sir B. L. Mitter, for his most flippant opposition to a piece of legislation that provided for stripes for offences against women. Sir, I refrain from mentioning other names and personalities for obvious reasons.

Next, Sir, of the two other crimes I have mentioned, namely, defilement of temples and deities and organised paddy looting in some Eastern Bengal districts, I do not propose to dilate on the former for want of time beyond saying that Government have practically taken no steps to deal with these crimes. On the latter I will just make a few remarks. Speaking on the floor of another House some time back the Hon'ble the Chief Minister,—when speaking on the Noakhali incidents, namely, paddy looting, reported from Noakhali,—he is reported to have said with his characteristic levity that when some people have paddy and others require it to make both ends meet they must take it. Quite good and unexceptionable as a socialist principle! I only wish the homeless and *dalbhatless projas* of the Hon'ble Mr. A. K. Fazlul Huq, zemindar of Chakhar, Barisal, were allowed to enter his house by force and to take away by force all that they need to make both ends meet, without police intervention. The Hon'ble Home Minister also, I remember, spoke on the same occasion in the same strain as the Chief Minister did. I wish the Hon'ble Sir Nazimuddin, a big sharer in the Dacca Nawab's zemindary, could authorise me to tell his hungry and homeless tenants that they could enter "Baitul-Aman"—the magnificent palace of the Hon'ble Home Minister at Dacca—by force and take away by force all they needed to make both ends meet. I wish I could further tell them that the——

Mr. SPEAKER: I am afraid you are going much beyond the subject matter of your motion. I cannot understand what all this has got to do with the Police Budget.

Mr. ATUL CHANDRA SEN: I will show, Sir, that the Hon'ble Home Minister in connection with the discussion of the Noakhali incidents in a way expressed the view that the hungry people could make a raid on the people who had property—and in a way supported this sort of action.

Mr. SPEAKER: I thought you were obsessed by Dacca.

Mr. ATUL CHANDRA SEN: No, Sir, I am obsessed by Noakhali too.

The Hon'ble Khwaja Sir NAZIMUDDIN: Sir, I could not follow the honourable member, would he please repeat what he has just said?

Mr. ATUL CHANDRA SEN: Have patience and you will be able to follow me. I said I wish I could tell his hungry and homeless tenants that they could enter his beautiful and magnificient "Baitul-aman" without police interference. I wish I could further tell them that while they might carry on the raid the Hon'ble Home Minister's police force would stand aside with philosophic indifference and would even cheer and applaud the hungry and homeless raiders of Dacca as the Hon'ble Home Minister himself in a way though from a safe distance cheered and applauded the raiders of Noakhali. Sir, people may have a conveniently bad memory but I do not suppose that Sir Nazimuddin's memory is so bad that while taking brief on the side of the paddy looters of Noakhali he altogether forgot that speaking on the floor of this House last year on the Police grant he took particular care to mention paddy looting as a dangerous phenomenon in Bengal's social life that demanded redress of a drastic nature. These crimes were dangerous—then and in other districts—why? Because the revolutionaries and communists were responsible for these crimes, as he said

But these crimes that are being perpetrated to-day in Noakhali are not dangerous! Well, Sir, the Hon'ble the Home Minister has been pleased to give a new nomenclature for paddy looting in Noakhali He has said that it is only an event following from agrarian dispute

I know that this benign Government is overflowing with love for the agriculturists and is pledged to let them have their own way in all agrarian disputes I wish it were so. But, Sir, may I ask what about Jalpaiguri? The merciless beating of agriculturists, the burning of their houses, and untold repression practised on them, by the myrmidons of law and order reminiscent of the days of Czarist regime in Russia, and Black and Tan regime in Ireland, what about those crimes? These, perhaps, form a phenomenon by themselves, and I believe our good old friend the Hon'ble Nawab Musharruff Hossain, Khan Bahadur, of Jalpaiguri, may know something about this phenomenon. I really wonder how is it and why is it that paddy looting is not a crime in Noakhali whereas it is a crime elsewhere (A voice: Paddy cutting?). I think our honourable friend Maulvi Gholam Sarwar of Noakhali, if he is here, may kindly tell us why Al-hadj the Hon'ble Sir Nazimuddin speaks in such a different language about Noakhali?

Sir, the Hon'ble the Home Minister has of late developed the habit of talking about communism—of course he never talks of communalism; so far as communalism is concerned he believes in action. This bogey of communism has become a handy excuse with the Government for any

kind of *zuhurdasthi* such as the muzzling of the nationalist press, the stifling of public opinion, the dispersing of peaceful public meetings by what they call mild *lathi* charge, externing people at their sweet will and all such obnoxious things. When people forcibly enter houses and actually rob other men's properties as in Noakhali everything is O. K. But——.

(Here the member reached the time-limit.)

Mr Speaker, Sir, I shall not take more than two minutes to finish.

Mr. SPEAKER: Yes, you may continue.

Mr. ATUL CHANDRA SEN: Sir, I will now say something about "watchers". In this budget there is an increased provision for the watchers. We know how they make themselves a nuisance to the civilized society, how on behalf of the Hon'ble Home Minister they manufacture stories of revolutionary activities and thus help him to carry on a vendetta against his political opponents and prevent them from pursuing their legitimate activities

Sir, one thing more I want to tell this House to show how dangerously the police abuse the power invested in them. You remember, Sir, the other day myself and my honourable friend Mr. Pratul Chandra Ganguly asked the Hon'ble Home Minister about the health of political prisoner Babu Purnananda Das Gupta. He has been in jail for long long years, and thanks to the kind of treatment meted out to Indian political prisoners, Purnananda's health has been thoroughly shattered and he is to-day a complete physical wreck awaiting his death. Some time last year it was thought necessary that he should undergo treatment in the Medical College Hospital so that his life might be saved and he might regain health to some extent But let me tell you, Sir, he could not have that treatment because the police intervened. The Hon'ble Home Minister said in answer to my question the other day that it was not true. How could I say that he was telling a lie? But what I cannot explain is a letter I hold in my hand written by Purnananda to his elder brother at Dacca. It is written from Alipore Central Jail and is dated the 10th December, 1939. It was duly censored and passed by the Deputy Inspector-General, Intelligence Branch, Criminal Investigation Department, Bengal, on the 13th of the same month. Many a line in the letter is scored out by the police censor as objectionable. What however the police censor does not object to and passes unscored is a sentence which runs thus:—পূর্ব্ববার অর্থাৎ একবৎসরের পূর্ব্বে পুলিশ মেডিকেল কলেজে চিকিৎসার বাধা দেওয়ায় আজ এই পরিণতিতে দাড়াইয়াছে। আর কতদিন এই অবস্থা চলিলে মৃত্যু অনিবার্য্য।

Translated into English the sentence runs thus:—

"Last time, i.e., a year back the police having prevented my treatment in the Medical College Hospital I have been reduced to this condition now. If matters continue like this for a few days more death is inevitable."

Does the Hon'ble the Home Minister seriously ask me to believe that the ever-cautious and ever-watchful Police Censor who does not pass a single sentence in a political prisoner's letter which may be interpreted as a reflection on the good administration of the police would have passed this sentence in the letter which is a severe indictment on the police if it was untrue. Sir, I refuse to believe it and I refuse to believe any statement that has so far been made on the floor of this House to show that the police did not prevent Purnananda's treatment. I say that the treatment of Purnananda was interfered with by the police most inhumanly. With these words I commend my motion to the acceptance of the House.

Mr. F. J. MARINDIN: Sir,——.

Dr. NALINAKSHA SANYAL: May I suggest that the other cut motions may also be moved?

Mr. SPEAKER: I am sorry. I pointed out to the House the danger that you are running into by suggesting, on the last budget debate day, that the debate must be confined to the issue of the motion. I pointed out that the difficulty would be for the Opposition. I have been following the practice of allowing a debate on the main motion as well as the cut motion. But, on the day on which the Education budget was taken, you took a different view.

Mr. SANTOSH KUMAR BASU: May I remind you, Sir, that the position that we took up was this: so far as the general budget discussion is concerned that opened the debate to all aspects of the question coming under the general demand? So far as the cut motions are concerned the speakers need not confine themselves to the actual cut motions on the Order Paper, but can deal with other motions which have not come up. Even then they must not transgress the limits set by the cut motions themselves. That is what——

Mr. SPEAKER: Mr. Basu: That reminds me of the days when I was a lawyer.

Mr. SANTOSH KUMAR BASU: I think it is only fair and reasonable to make a distinction between a general discussion of the budget and the discussion on the cut motions.

Mr. SPEAKER: Any way, let us finish, this cut motion.

Dr. NALINAKSHA SANYAL: I move that the question be now put.

Mr. SPEAKER: I believe if it is accepted the other motions will have to be put. In that case the Hon'ble Sir Nazimuddin will have to reply.

The motion of Dr. Nalinaksha Sanyal that the question be now put was then put and lost.

Mr. F. J. MARINDIN: Mr. Speaker, Sir. I rise to oppose the cut motion moved by my Hon'ble friend Mr. Atul Chandra Sen. Sir, every year the grant for the Police Department is attacked on grounds that never vary.

In fact, one would be led to believe from the lack of imagination in these cut motions that the criticisms levelled against the Police Department are merely because the critics are against the Government and select this department as a target.

Seldom do we hear constructive criticism and even more rarely do we hear praise for this department. This, to say the least of it, is ungenerous.

The Police Department has to shoulder work of the utmost responsibility which has to be carried out not infrequently under most trying conditions, and it seems unfortunate that its critics are unable to appreciate this fact.

No one in their senses would suggest that we could do without the police force. Is it not, therefore, reasonable to give this department support, and, if criticism is justified, constructive criticism?

Can this department be so badly administered if it is able to carry out its duties on grants that would be considered niggardly in other Provinces?

Take for comparison the province of Bombay which in area approximates very close to that of Bengal. It is found that the cost of the Police Department in Bombay is per head of population more than that of Bengal.

If a comparison of two provincial capitals are made we find again that the cost of the Police Department of Bombay is higher than that of Calcutta.

These facts may seem strange to some members but they are true and when it is remembered that for years Bengal suffered from political

crime of a most virulent nature which has never been experienced in Bombay it becomes even more astonishing to realise that the Police of this province comparatively costs so little.

Another criticism which is frequently levelled against the Police Department is the general statement that the lower ranks are corrupt.

Sir, if you do not pay your men adequately and do not redress their legitimate grievances and do not support them to the utmost of your ability, is it surprising that there may be some amongst this large body of men who feel discontended and who may take advantage of their position?

This question of corruption is however grossly exaggerated, and it must be known to every one that any complaint receives immediate and close attention by the superior officers of the Police Force who take drastic action against the culprit if the complaint is justified.

What however is much more important to realise is that corruption would die a natural death if the corrupters could be taught and made to realise that by their action they were even more guilty than the corrupted.

I have mentioned the question of grievances and it is brought to my mind that at a very small cost the Government could do away with one grievance which I consider to be a grave injustice.

I refer, Sir, to the question of uniform allowances for Inspectors and Sub-Inspectors, and I consider, Sir, that there is no reason to expect officers of these ranks to provide their own uniforms.

I would ask Government to consider this matter and deal generously with their servants by giving adequate uniform allowances to Inspectors and Sub-Inspectors.

In conclusion, Sir, I would like to express our appreciation of the Police of Bengal. We sometimes speak of the Navy as the silent service. This to my mind is applicable also to the Police who do their work with great efficiency and without fuss and bother. In the days ahead there may be troublous times for it is possible that once again we may be faced with a recrudescense of political crime due to the activities of the communists.

It is possible that we may be faced with labour trouble created by paid agitators who exploit labour for their own aims without any thought of the best interests of labour. But, Sir, whatever may come, I feel sure that the Police of this Province will be able to deal with the situation effectively and with fairness.

Dr. NALINAKSHA SANYAL: Sir, the question be now put.

Mr. ABDULLA-AL-MAHMOOD: On a point of order, Sir. If the Hon'ble Speaker thinks that sufficient discussion has not been made——.

Mr. SPEAKER: As there is only about 40 minutes more left, it is the legitimate desire on the part of the other side to say that they should come to the other motions and I should not stand in the way. So every time, the question is asked to be put. I must put it and it is the responsibility of the House to decide it.

Mr. SHAH SYED GOLAM SARWAR HOSAINI: Mr. Speaker, একজন সভ্য পুলিশ বাজেটের আলোচনা কোরতে গিয়ে আমার নামোল্লেখ কোরে কিছু মন্তব্য কোরেছেন, সে বিষয়ে আমার কিছু বক্তব্য আছে।

Mr. SPEAKER: He has said nothing against you.

Mr. SHAH SYED GOLAM SARWAR HOSAINI: কিন্তু তিনি আমার নিরীহ থানার উপর অন্যায় দোষারোপ কোরেছেন।

Mr. SPEAKER: He criticised the Police and in that connection, he wanted you to be a witness.

Dr. NALINAKSHA SANYAL: Sir, may I appeal to you and through you to the House that the House do kindly give us a little more opportunity to put the question? We have tried to accommodate them by agreeing to sit late hours in order to enable them to pass their Bills. So, it is unfair on their part to take up this obstructive attitude. If they do so, I must give them the warning that we also like to be obstructive.

Mr. SPEAKER: I think the best thing will be to allow Mr. Narendra Nath Chakravarty to move his motion and if there is time to allow Mr. Abu Hossain Sarkar to move his motion.

Dr. NALINAKSHA SANYAL: Sir, I think that will be unfair to Mr. Abu Hossain Sarkar. Let Mr. Abu Hossain Sarkar move his motion first and let each speaker have only 7 minutes.

Maulvi ABU HOSSAIN SARKAR: I beg to move that the demand of Rs. 2,12,92,000 under the head "29—Police" be reduced by Rs. 100.

I move this cut motion only to put a very plain question to the Hon'ble Home Minister and to get a plain answer from him. My question is—why this additional amount will be spent for the secret service of Bengal? Is it true, as the report goes, that a part of the

money allotted for secret service is spent in ways other than the detection and prevention of crimes and goes directly or through another Minister for the purpose of organisation or propaganda? If not, why then this additional amount again is allotted for secret police service? The secret service, Sir, is supposed to exist to suppress terrorist movement in Bengal; but that movement is gone. During the last three years no outrage took place and though most of the supposed terrorists are out of jail, no disturbance took place—nothing of the sort—nobody is going to shoot anybody. Why then this arrangement again for secret service? It is admitted by Sir Nazimuddin that these people in a way have given up their terrorist idea; they are now making open movements to organise the peasantry of the country. There is no secret about it. Nothing can be said against them that they are organising the terrorist movement: why then, I ask Sir Nazimuddin, he is again arranging for this secret service? Is it a fact that the general police is quite insufficient or incompetent to maintain law and order? If so, Sir Nazimuddin should openly declare that and liquidate that body at once and try to rule the country by the 8-anna spies engaged by the secret service. Already I find that in some cases the report of a Superintendent of Police has been turned down and persons arrested or molested on the report of the eight-anna spies, *panwallas* or anybody else who is engaged by the Intelligence Branch. May I know from Sir Nazimuddin what is his intention? Why is he arranging to get a secret service now? (Dr. NALINAKSHA SANYAL: For Party fund.) The persistent demand of the country was to abolish the secret service. Why? Because it has done its work.

Again I ask, is it true as suggested by my friend, Dr. Nalinaksha Sanyal, that the money will be spent or has been spent in ways other than prevention or detection of crimes and has been paid to individuals or organisations for purposes other than the police purposes? Let Sir Nazim come forward with a plain answer. Perhaps Sir Nazim will tell the House this time that he will spend the money for administration of the Defence of India Act or Defence of India Rules. But may I ask why the money of Bengal should be spent for that purpose? Is Bengal at war or is money or army being collected for the prosecution of war in Bengal? Has any Minister got to keep an army for the protection of Bengal? Why then spend the money? Again I ask Sir Nazim under whose behest he is spending the money if he replies in that way. The Muslim League, the Congress, the peasant organisations, the Hindu Mahasabha, the labour organisations—none of these organisations have asked to spend any money for the prosecution of the war. Why then Sir Nazim is now eager to have secret service for the prosecution of the war? I do not know what answer he will give.

(At this stage the member having reached his time-limit resumed his seat.)

Babu NARENDRA NARAYAN CHAKRABARTY: Sir, I beg to move that the demand of Rs. 2,12,92,000 under the head "29—Police" be reduced by Rs. 100.

সভাপতি মহাশয়, এই cut motionএর উদ্দেশ্য হোচ্ছে to discuss about unnecessary and unwarranted application of the Defence of India Rules by the police and curbing thereby most seriously the normal exercise of their civic rights by the people of the province and about unnecessary encroachment by the police upon the civil liberties of the people of the province.

এই সম্বন্ধে আমার বলবার যে সব তথ্য আছে তা সবিস্তারে বিবৃত করবার সময় আমার নেই; প্রথমে আমি স্যার নাজিমুদ্দিনের দুবছরকার বক্তৃতা থেকে অংশ বিশেষে উদ্ধৃত কোরে আমার বক্তব্য সুরু কোরতে চাই। গেল্লো বছর মার্চ মাসে স্যার নাজিমুদ্দিন বোলেছিলেন:

It is the irony of fate that two years after the power has passed into our hands there should be in Bengal a vigorous and vocal section claiming to be the apostles of freedom and progress, whose actual message to the people is naught but hatred, strife and destruction.

এবং তার প্রতিকার সম্বন্ধেও স্যার নাজিমুদ্দিন সাহেব সেদিনই আমাদের জানিয়ে দিয়েছিলেন—

Forewarned is forearmed, and so long as I am entrusted with the duty of preserving the authority of this Government in accordance with the will of this House and of enabling the public to go upon its lawful vocations without fear of interference, I can assure this House that Government will not hesitate to perform its duties.

স্যার নাজিমুদ্দিন তাঁর সেদিনকার সেই কথা বর্ণে বর্ণে—অক্ষরে অক্ষরে—প্রতিপালন কোরেছেন। এবং তার অসংখ্য দৃষ্টান্ত আমি এই পরিষদের সম্মুখে উপস্থিত করতে পারি। আমার কাছে এমন সব তথ্য আছে, এত বেশী প্রামাণিক তথ্য আছে, যা শুনলে আমার কথার সত্যতা সম্বন্ধে সন্দেহ করবার কারো অবকাশ থাকবে না; কিন্তু আজকে আমার সময় নেই; এবং এই জন্যে সংক্ষেপে কিছু কিছু উল্লেখ কোরছি।

বিগত ১২ই সেপ্টেম্বর বঙ্গীয় গভর্ণমেণ্ট রাতারাতি গেজেটের একটা বিশেষ সংখ্যা প্রকাশ কোরে, বিজ্ঞপ্তি কোরে ছ'মাসের জন্য বাংলা দেশে সর্বপ্রকারের সভা সমিতি, মিছিল এবং বিক্ষোভ প্রদর্শন বন্ধ কোরে দেন। তারপর থেকেই আমাদের এখানে অর্ডিন্যান্স রাজ সুরু হোয়েছে। এবং তার ফলে আমরা দেখতে পাচ্ছি—

সেপ্টেম্বর মাসে বন্দী করা হোয়েছে ১০জনকে; ১২জনের বিরুদ্ধে মোকদ্দমা রুজু করা হোয়েছিল। ৩জনের দণ্ড হয়, ৩জনকে বহিষ্কার করা হয়; ৪টী বাড়ী খানাতল্লাস করা হয়; এবং ৯জনের উপর সাবধানী নোটীশ জারী করা হয়।

অক্টোবর মাসের তালিকা এই প্রকার:—বন্দী করা হোয়েছে ১৯জনকে, মোকদ্দমা রুজু করা হয়েছে ১১জনের বিরুদ্ধে, সাজা হয়েছে ৪জনের। খানাতল্লাসী হোয়েছে যারা বন্দী হোয়েছে তাদের ছাড়া ১৭টী বাড়ী, আর সাবধানী নোটিশ দেওয়া হোয়েছে ২০জনকে।

নবেম্বর মাসের তালিকা:—৬জন বন্দী; ৩জনের বিরুদ্ধে হয়েছে মোকদ্দমা রুজু; নজরবন্দী করা হয়েছে ২জনের ও বহিষ্কারের আদেশ ১জনের। বন্দী-ব্যক্তিদের বাড়ী ছাড়াও ১৮টী বাড়ী খানাতল্লাসী হোয়েছে। সাবধানী নোটিশ জারী হয়েছে যাদের বিরুদ্ধে তাদের সংখ্যা হোচ্ছে ১৭। তা ছাড়া ৪টী প্রেসকে শাসন করা হোয়েছে।

ডিসেম্বর মাসে বন্দীর সংখ্যা হোচ্ছে ২৮। তার ভিতর ২৫জনের বিরুদ্ধে মোকদ্দমা রুজু করা হয়, ২জনকে ইন্টার্ণ করা হোয়েছে। ৩২টী বাড়ীতে খানাতল্লাসী করা হয়েছে। নোটিশ এবং warning দেওয়া হয়েছে ২১জনকে। এ ছাড়া সম্প্রতি জলপাইগুড়িতে ৭জনকে বন্দী করা হোয়েছে। তার ভিতর একজন এই পরিষদের সদস্য এবং জেলা কংগ্রেস কমিটির সভাপতি ও সম্পাদক আছেন। রংপুরে ৪জনকে ধরা হোয়েছে। তার মধ্যে জেলা কংগ্রেস কমিটির সম্পাদকও আছেন। এইমাত্র শুনতে পেলাম যে বঙ্গীয় প্রাদেশিক কংগ্রেস কমিটির সম্পাদক মৌলবী আস্রফউদ্দিন চৌধুরীকে চাঁদপুরে গ্রেপ্তার করা হোয়েছে। শুধু তাই নয়। বাংলার সংবাদপত্রগুলির উপর বিশেষ কোরে হিন্দুস্থান ষ্ট্যাণ্ডার্ড, আনন্দবাজার পত্রিকা ও চট্টগ্রামের দেশপ্রিয় ও নোয়াখালীর দেশেরবাণী প্রভৃতির উপর নানারকম বিধিনিষেধ জারী করা হয়েছে। হিন্দুস্থান ষ্ট্যাণ্ডার্ডের সম্পাদকীয় প্রবন্ধ ও মন্তব্য বন্ধ করা হোয়েছে। চট্টগ্রামের দেশপ্রিয় কাগজখানারও সম্পাদকীয় প্রবন্ধ বন্ধ কোরে দেওয়া হোয়েছে। আনন্দবাজার পত্রিকাকে ১২ বার নোটিশ দিয়ে warning দেওয়া হোয়েছে, তা ছাড়াও টেলিফোনে শাসানো হোয়েছে। দেশ কাগজখানায় সুভাষ বাবুর দাড়ীর একটী ফটো ছাপা হোয়েছিল, সেজন্য তার কৈফিয়ৎ চাওয়া হোয়েছে এবং তার উপর নোটিশ জারী করা হোয়েছে। তারপর দেশ কাগজে একটা প্রবন্ধ প্রকাশিত হয়েছিলো তাতে ঐতিহাসিক তথ্য হিসাবে দেখানো হোয়েছে যে, যেখানেই শ্বেতকায় জাতি কর্তৃক কৃষ্ণকায় জাতির উপর প্রভুত্ব প্রতিষ্ঠিত হোয়েছে, সেখানে কৃষ্ণকায় জাতিকে যতকাল শোষণ করবার মত অবস্থা থাকে ততকাল তাদের বাঁচিয়ে রেখে শোষণ করা হয়, যেখানে আর সে সম্ভাবনা নেই সেখানে কৃষ্ণকায় জাতিকে অত্যাচারে নির্ম্মূল করাই এপর্য্যন্ত হোয়ে এসেছে শ্বেতকায় জাতিসমূহের অনুসৃত নীতি। এই প্রবন্ধে বিশেষ কোরে আমেরিকার কথাই বলা হোয়েছে ভারতবর্ষের কথা তার মধ্যে নেই। তবুও কাগজখানির উপর নোটিশ দেওয়া হোয়েছে। আমি বসুমতি আফিসেও তদন্ত কোরে দেখেছি, বসুমতি সংবাদপত্রের উপরও নোটিশ দেওয়া হোয়েছে।

সভাপতি মহাশয়, সম্প্রতি আমি দেশে গিয়াছিলাম, সেখানে গ্রামের চৌকিদার এবং দফাদার আমার কাছে এসে জিজ্ঞাসা কোরেছে—"বাবু আপনি কবে এসেছেন, আবার কবে যাবেন?" প্রশ্ন কোরে তাদের কাছ থেকে জেনেছি যে স্থানীয় থানার কর্ম্মচারীদের হুকুমেই তারা এই সংবাদ নিতে এসেছিল। আমি এই বিষয়ে একটী প্রশ্নও করেছিলাম কিন্তু মাননীয় সভাপতি মহাশয় সে প্রশ্ন উত্থাপন করবার অনুমতি আমাকে দেন নাই। একজন পরিষদ সভ্যের জীবনযাত্রা যেখানে এমনি ভাবে বিড়ম্বিত হোতে পারে সেখানে সাধারণ নাগরিক কি ভাবে জীবনযাপন ক'রে তা স্থির করতে খুব বেশী কল্পনার প্রয়োজন হয় না। এই পরিষদের একজন সদস্যকে পর্য্যন্ত সাধারণ চৌকিদার আর দফাদারের তদন্তাধীনে এনে তার প্রতি সাধারণ গুণ্ডার মতন ব্যবহার করা হয়—তার পিছনে শিকারী কুকুর লেলিয়ে দেওয়া হয়। আমি আমহার্ষ্ট ষ্ট্রীটের কাছে বাস করি। সে পাড়ায় আন্দামান ফেরৎ কয়েকটী মুক্ত বন্দী আছে। তারা প্রায়ই আমার কাছে এসে অভিযোগ করে যে, পুলিশ তাদের রাত্রে ঘুমোতে দেয় না। গভীর রাতে ঘুম থেকে তুলে নানা প্রকার প্রশ্ন জিজ্ঞাসা করে। থানায় নিয়ে গিয়ে ধমকায়, পাজি গাধা বোলে গালি দিতে থাকে। তাই আমি আজ জিজ্ঞাসা কোরছি, এইরকম নাজি নীতি, এই প্রকার অত্যাচার আর কতকাল চোলবে? ইংরাজের স্বার্থরক্ষা স্বরাষ্ট্রসচিবের কাছে যে খুব বড় কাজ তা জানি, কিন্তু তার চেয়েও বড় কথা হোচ্ছে দেশের স্বার্থরক্ষা করা। Sir Nazimuddin অনেক সময়ই গম্ভীর চালে অহিংসার কথা বলেন। কিন্তু মানুষকে জোর কোরে ধোরে নিয়ে গিয়ে তার উপর এই প্রকারের অত্যাচার কোরতে যাদের একটুও বাধে না, তাদের মুখে অহিংসার কথা কি কোরে উচ্চারিত হয় আমি ভেবে পাইনে। বাংলা দেশে স্যার নাজিমুদ্দিন-পরিচালিত এই যে গভর্ণমেণ্ট, সেই গভর্ণমেণ্টকে আমি আজ স্পষ্ট কোরে জানিয়ে দিচ্ছি Defence of India র নামে এই যে অত্যাচার, এই যে জুলুম আজ সারা বাংলাদেশময় চালানো হোচ্ছে, এর কলঙ্কে শুধু এই গভর্ণমেণ্টই নয়, সারা বাংলাদেশ ও বাঙ্গালী জাতি আজ কলঙ্কিত হয়েছে। আমার মনে হয়

এরূপ কলঙ্ক ভারতবর্ষের আর কোন প্রদেশকেই স্পর্শ করেনি। একমাত্র বাংলাদেশ ছাড়া সংবাদপত্রের মুখবন্ধ আর কোথাও হয়নি, একমাত্র বাংলা দেশেই খবরের কাগজের স্তম্ভ সাদা বেরুচ্ছে। আর কোথাও মানুষের দৈনন্দিন জীবনযাত্রার উপর হস্তক্ষেপ করা হয় নাই, সহজ-সাধারণ নাগরিক জীবন এরকমভাবে আর কোথাও ব্যাহত হয় নাই। জানি না এঁরা আর কতকাল বাংলা দেশের বুকের উপর এই ডাণ্ডাবাজী, এই গুণ্ডাগিরি, নাজি-নীতির এই বর্বর অত্যাচার চালাতে থাকবেন!

Mr. SPEAKER: I am afraid as there are only ten minutes left for this debate to be closed, there will not be any time for any other member to speak because Sir Nazimuddin will have to reply to the debate.

Mr. K. SAHABUDDIN: Sir, could not this debate be carried on up to 7-45? Not a single member from this side of the House had had an opportunity to meet the arguments of the Opposition.

Mr. JOGESH CHANDRA GUPTA: I suppose the Opposition should lead and carry the debate.

Mr. SPEAKER: You will remember that the cut motion has been moved by the Opposition and they will have the right to speak first. If there is an opportunity, I am always anxious to give it to you and if you look to the figures you will be satisfied that you have been given equal opportunities as the Opposition. But here unfortunately the prayer interval comes in and unless Sir Nazimuddin foregoes his right of reply, I am afraid, I cannot call on any other speaker.

The Hon'ble Khwaja Sir NAZIMUDDIN: Sir, there is one fact striking about the discussion on the Police Budget that I cannot help remarking on it and I may be pardoned if I appropriate to myself a certain amount of credit for this. Those who were in the old Legislative Council will remember the days when cut motions on the Police Budget were discussed, the trepidation of the Whips as to how to get those Police cut motions—the number of cut motions that used to be there and which used to take at least two days if not more, to discuss them. Sir, there are altogether 86 cut motions only for which notice has been given and the Opposition have agreed to devote only an hour and a half for the discussion of the entire Police Budget. Sir, I consider this as a sufficient testimony to the efficiency and the manner in which the Police Department is run, and I am sure no further speech is necessary for meeting the arguments of the various speakers who opposed the grant.

Mr. SANTOSH KUMAR BASU: It is waste of time.

The Hon'ble Khwaja Sir NAZIMUDDIN: Sir, if the Deputy Leader of the Opposition follows the same course with regard to other departments also, Government would be very much obliged.

Sir, as far as the mover of the first motion is concerned, if the allegations that he has made on the Police Budget are based on the same kind of evidence or facts as those on which he laid a charge against me about the incident here, then I feel, Sir, that those allegations require no further answer, because I do not want to go into them, but just as the one is weak so are the others.

Now, Sir, as regards the figures that have been quoted with respect to the increase in theft and burglary, they vary from time to time, and it is extremely misleading to take one class of crimes and to comment on it. I would refer the honourable member to the figures for 1938. He will find there quite a different story as regards the crime figures, in many of which there is a marked improvement. Besides, there are many factors which lead to an increase in crime and which I do not want to go into, but one thing I may say, namely, that when there is a great deal of privation, famine and distress in the country you will find naturally that the crime figures go up, and when there is prosperity the crime figures go down—at least a certain class of crime. Therefore, to comment on the inefficiency of the police in this manner is, I think, not fair.

Then, as regards the question of paddy looting, this again is nothing new, as I have stated before. It has been in existence from time immemorial in Bengal, and no facts and figures have been cited to show that there is any marked increase now than it was in the past. (Dr. NALINAKSHA SANYAL: In some districts there is an increase.) I say, Sir, that no figures have been given to show that. If this was really so, I would have been ready with my figures, but, Sir, the burden of proof lies with those who make an assertion, and I deny the assertion that there is any marked increase in the crime figure. Even in Noakhali I say, Sir, that there is no increase, and what is more, even if there is a large number of paddy-cutting cases nothing has been shown or stated in this House (Dr. NALINAKSHA SANYAL: It has been done in the Upper House and not in this House.) which will go to show that the police have taken no action when cases have been reported. (Dr. NALINAKSHA SANYAL: What about the percentage of cases not proceeded with?) Here again, Sir, I am afraid that Dr. Sanyal is speaking on a subject without knowing fully the facts. Government have again and again requested those who have been making these allegations to come out with definite facts and figures, but no facts and figures have ever been given. On the other hand, general allegations are made; one case is cited and on the basis of that a general allegation is made. Even in the case that was cited, police took action, the people were convicted.

Dr. NALINAKSHA SANYAL: I take my stand on your own reply in the Council. There were a number of cases in Noakhali that were

brought to the notice of the police but the police did not take action and the cases were not proceeded with, and there were a number of cases which were quite unprecedented and unusual.

The Hon'ble Khwaja Sir NAZIMUDDIN: I am sure Dr. Sanyal will not be able to show anything of the kind. I am certain that I never made any statement of that kind. I never admitted that the police have not been able to take action. What I said was that the cases were not proceeded with, and the people got acquitted in a large number of cases. If Dr. Sanyal so likes, he can verify the same.

As regards crimes against women my remark remains the same. There are various kinds of crime against women, especially one kind which we all condemn, namely, forcible abduction and forcible rape. Every one of us condemn this sort of crime, and every effort is being made to check it, but just as it is impossible to stop burglary, just as it is impossible to stop dacoity, just as it is impossible to stop murder, similarly crimes of this nature cannot be stopped. But there is no evidence to show that when these cases have been reported, police have not taken adequate action. In every case, thorough investigation has been made, and wherever evidence has been available, people have been brought to book, prosecuted and convicted. Therefore, any allegation against the police is futile on this point.

Rai HARENDRA NATH CHAUDHURI: But they are on the increase. You have admitted it in reply to a question.

Mr. SPEAKER: I think you have missed the real point. Here the point is to what extent the police are responsible for prevention of crime and control. Sir Nazimuddin's point is not about the fact of crime but that every time a case has been reported the police have taken action.

Rai HARENDRA NATH CHAUDHURI: That may be so. But there are a large number of cases in which the culprits have not been brought to book.

The Hon'ble Khwaja Sir NAZIMUDDIN: In cases of forcible abduction and cases of rape, action has been taken. I maintain, Sir, that the cases where the police have not been able to take action are those cases where there is a question of doubt as to whether it is owing to connivance on the part of the girl or not.

Rai HARENDRA NATH CHAUDHURI: Sir, the Hon'ble Minister is making a misstatement of facts. After he finishes his speech, will you give me an opportunity to speak?

Mr. SPEAKER: Yes, if there is time.

The Hon'ble Khwaja Sir NAZIMUDDIN: I have not misstated the facts. My replies are there; they have been printed.

Now, Sir, as far as defilement of temple is concerned, there has been unfortunately a certain amount of increase in the number of these cases, but here again one plausible explanation is that these are now being reported where previously no notice was taken. (Cries of "Oh! oh! from the Congress Benches.) The Commissioners who were there 20 years ago have personally told me that this problem existed in Pabna and Sirajganj even when they were there 20 years ago.

It is not a new problem and when discussing this matter with the local people also one side put forward the explanation that nowadays much more notice is being taken of this matter than was used to be in the past. But again I cite that as far as the police and Government are concerned every possible step is being taken——

Rai HARENDRA NATH CHAUDHURI: That is a mere assertion not borne out by facts.

Mr. SPEAKER: There is too much interruption. I have permitted it to a certain extent but if you go on in this way every second then the debate would be impossible to conduct.

The Hon'ble Khwaja Sir NAZIMUDDIN: In the districts for instance, in Pabna, where a very large number of such complaints have come from, the Superintendent of Police there is a Hindu belonging to the Imperial Police Service and a very good officer too, and I can assure the House that every case is being fully investigated and wherever possible action is taken where evidence is available. Sir, there is one thing which, I can definitely state, is not correct and the statement made by Mr. Atul Chandra Sen is also misleading, for it does not necessarily follow that because the censor has passed a certain statement, that statement is correct. I have made enquiries and I am satisfied that Purnananda Das Gupta's medical treatment was not stopped by the police but on medical advice. As regards the speech of Mr. Marindin I very much appreciate the remarks that he has made about the efficient manner in which the police have performed their duties. As regards his suggestion about supplying uniforms to Inspectors and Sub-Inspectors of Police the expenditure is enormous and the question is under consideration and if our financial position improves it may be taken up by Government.

I will now come to the speech of my friend Mr. Abu Hossain Sarkar about the Secret Service money. I am sure the House admires his innocence and simplicity and the enthusiasm that he has shown about

the absence of any terrorist organization in Bengal, and also the naive questions that he has put forward. But before I answer them, may I draw his attention to the fact whether there is any terrorism in Madras? And if there is not, why did Mr. Rajagopalacharia defend the Secret Service grant and what was it there for? I am citing this only because the members sitting on that side of the House and Maulvi Abu Hossain Sarkar who is a camp follower of that side and has great faith and admiration for the policy pursued by the Congress Party—I cite this instance only for their benefit. (Dr. NALINAKSHA SANYAL: Give a straight reply, please.) The straight reply is that Secret Service is necessary in every province, in every country. You cannot govern a country without Secret Service, and I may state that this increased grant is necessary because we have released over 3,000 prisoners who have been involved in a certain underground conspiracy and it is necessary—at least 40 to 50 per cent. of the released detenus are still active (Mr. JOGESH CHANDRA GUPTA: In what way?) In what way?—In this way that their secret organisations still exist. They do meet and they are re-organising themselves. I know that the members who are sitting on those Benches and belong to the Congress Party have always denied all knowledge of what the activities of the terrorist organisations are. They are not merely saying so to-day but they have always said that although the terrorists are members of the Congress they know nothing of their movement and policy. So, how they will be in a position to know what they are doing now? Either they knew of it in the past or they did know of it in the past but did not say so and still they deny that there is any terrorist activity going on in the province——

Mr. SPEAKER: I must adjourn the House for prayer now.

The Hon'ble Khwaja Sir NAZIMUDDIN: May I have two minutes more, Sir, to finish?

Then, Sir, I definitely deny that any part of this money is used for any party fund whatsoever. It has been clearly shown that this amount is necessary. So far as the speech of Mr. Narendra Narayan Chakraverty is concerned, here again I say that what is sauce for the gander is sauce for the goose. Last time I made a statement that the Defence of India Act was used by all Provincial Governments not excluding the Congress Governments even. And I am still waiting to be told that this statement was not true. The same thing happened in other cases also. When the Criminal Law Amendment Act was used in Bengal members of that Group condemned the use thereof by this Government. But we found that when the Congress Party was in power they used the provisions of this Act quite freely in connection with movements like the "Hindi Civil Disobedience Movement."

(Mr. JOGESH CHANDRA GUPTA: Why don't you follow the Congress in every other matter?) Well, it is not we who follow them, but it is they who follow us, and what we do is always right. We maintain that those people who were in office in the Congress Provinces they have done the same as we have done. It is not that we are following them, it is they who have followed us, because they have no other option but to do the only right thing, and this Government have always done that.

You always talk of the Defence of India Act being used against newspapers. But do you know how the Press Act has been used in Bihar, in United Provinces, in Central Provinces and in Bombay by the Congress Governments there? Ten times more often than what has been done in Bengal? Now, last of all, how can the members sitting opposite speak of actions against Press and civil liberties when we find that because an editor of a certain newspaper adopted a certain attitude and signed a certain statement he has been dismissed and other papers are going to be boycotted? If that is justifiable, then certainly our use of the Defence of India Act is equally justifiable.

Mr. SPEAKER: I must adjourn the House now.

Mr. SANTOSH KUMAR BASU: Sir, before you adjourn, may I tell the Hon'ble the Home Minister that by his speech to-day on the subject of crimes against women he has managed to convey the impression——

Mr. SPEAKER: I cannot allow you to put any question or make any statement at this stage.

Mr. SANTOSH KUMAR BASU: He has managed to convey the impression that he is condoning these crimes against women and not going to take any adequate steps to check them——

Mr. SPEAKER: I adjourn the House for 15 minutes for prayer.

(The House was then adjourned for 15 months.)

(*After adjournment.*)

Mr. SPEAKER: According to the arrangements reached all other motions fall through.

The motion of Mr. Atul Chandra Sen that the demand of Rs. 2,12,92,000 under the head "29—Police" be reduced by Rs. 100, was then put and lost.

The motion of Maulvi Abu Hossain Sarkar that the demand of Rs. 2,12,92,000 under the head "29—Police" be reduced by Rs. 100, was then put and lost.

The motion of Babu Narendra Narayan Chakrabarty that the demand of Rs. 2,12,92,000 under the head "29—Police" be reduced by Rs. 100, was then put and lost.

The motion of the Hon'ble Khwaja Sir Nazimuddin that a sum of Rs. 2,12,92,000 be granted for expenditure under the head "29—Police" was then put and agreed to.

28—Jails and Convict Settlements.

The Hon'ble Khwaja Sir NAZIMUDDIN: Sir, on the recommendation of His Excellency the Governor I beg to move that a sum of Rs. 34,49,000 be granted for expenditure under the head "28—Jails and Convict Settlements".

Rai HARENDRA NATH CHAUDHURI: I beg to move that the demand of Rs. 34,49,000 made under the head "28—Jails and Convict Settlements" be reduced by Rs. 100.

Sir, I am quite prepared to admit at the outset that it will not be correct to say that the Bengal Government have not evinced any anxiety for jail reforms. Anxiety they did display when about one-and-a-half years after they took office they thought it proper to circulate a questionnaire among the members of the Legislature just to test their views about the question of jail reforms. When other provinces in India were forging ahead and were introducing measures of reforms this Government thought it proper simply to issue a questionnaire. One-and-a-half years after the issue of the questionnaire again the Government made an announcement in the "Bengal Weekly" just to tell the public what were the measures of jail reform that they were going to introduce in this province. Three years they took therefore in devising their measures of reform. But are these reforms worth the paper on which they are written? If you will permit me to quote some items from their scheme of reforms it will be apparent that their purpose is somewhat different from improving the lot of the unfortunate prisoners. Now, Sir, this advertised scheme of reforms falls into two parts, viz., measures which have been given effect to and proposals which have been administratively approved and for which it is hoped provisions will be made. Now, what are the measures that have been taken in hand or will be taken in hand in the near future in execution of the Government scheme for the amelioration of the conditions of the jail population? Well: "A whole-time Superintendent has been appointed in the District Jail of Mymensingh from 1st September, 1939; and a whole-time Medical Superintendent will soon be appointed in the District Jail at Comilla." There is another item, Sir, for the amelioration of the condition of the jail inmates, viz., "provision has been made for sending two officers instead of one to attend a course of

study in Prison Administration in England." Another item that directly touches the jail population is that "the permanent staff of the Dum Dum Central Jail has been increased." Another item that must go to ameliorate the condition of the prisoners is the "revision of pay of the Chief European Warder and the European Warders." Then the further ameliorative measure is the "grant of passages to the European Warders, European Chief Warders and Jailors whose domicile was at the time of appointment in Europe." Another item, a very important item, which will surely go to improve the lot of the prisoners, is the "appointment of whole-time Superintendents for the District Jails at Barisal and Faridpur." What more, Sir, can a progressive Government think of in the matter of jail reforms? Then, Sir, the building schemes which were hitherto considered as matters of Public Works Department are also going to be passed off as measures of jail reforms such as construction of four sheds in the Dum Dum Central Jail, additions and alterations of sub-jails, and so on and so forth. What again are the big proposals meant for the inmates of the jails? The proposals are:—"A hand-press has been installed in the Borstal School of Bankura for the teaching of the inmates of the jail." Another is "the retention as a permanent measure of the annual grant of Rs. 1,000 for the maintenance of libraries in jails." There are 87 jails in this province—25 District and Central jails and 62 sub-jails. I suppose I am correct in my statement. This magnificent sum of Rs. 1,000, Sir, will therefore be distributed among 87 jails to improve their collection of books. Another item of course is the provision of additional clothing for the prisoners. This is one of the very few items meant to benefit the prisoners, this provision of additional clothing to the extent of a pair of trousers to each prisoner and a cotton bed sheet to Division III prisoners. We note also that arrangements have been made for the supply of sweets to prisoners on festival days at Government cost.

Let us hope that the ill-treatment of 360 days will be compensated by the sweets provided on say, 5 festival days. This is the programme of jail reform adopted by the present Ministry and after they have been in office for three years!

Now, what about the reforms adopted by the other unmentionable provinces of India? Sir, let me not refer to the big provinces but only to the smallest of them because I do not think I shall be quite correct in accepting the description of the Hon'ble the Chief Minister when he referred the other day to Bihar and Orissa as major provinces. Let me first of all take up the Central Provinces. Before this Government even thought of circulating the questionnaire for jail reform, the Central Provinces came out with a programme of jail reform: which included such items as "(1) Reduction of the ration of *dal* during hot weather will be abolished, the ration of salt increased and the early morning meal will be a hot one." In the Bengal Government scheme there is no such item for the improvement of the dietary of the jail

population. Then, again, Sir, in the Central Provinces the Government have also introduced the following reform, viz., "Two sets of clothing will be supplied to every prisoner, one to be renewed every year." Here, our Government is contemplating to give an extra clothing to the prisoners, but the provision that has been made in the budget will be quite inadequate for the purpose. It is simple arithmetic that a provision of Rs. 10,485 is insufficient to meet the cost of the aforesaid additional clothing for even 16,000 men, the daily average of the number of prisoners in our jails. Then Sir, the Central Provinces Government will also supply a wireless set for each octagon in bigger jails. This is in accordance with the reform that has been recently adopted in England. In Central Provinces indoor games will be introduced and for casual convicts encouragement will be given to outdoor games as well. All prisoners there will be allowed to buy newspapers at their own cost. Now, Sir, it is a standing grievance of the political prisoners of Bengal jails that they are not allowed daily newspapers. When the Superintendents of Jails are asked about the reason, they plead that they are helpless and that unless the Jail Code is amended nothing can be done in this respect, although weekly papers supplied to political prisoners may cost more than a daily paper.

Again, in the Central Provinces smoking is allowed to prisoners under restrictions of time and place. The Bengal Government cannot even think of that. Then, Sir, in the Central Provinces, their scheme is that, as far as funds permit, machinery will replace manual labour. Latrines will be provided there with half shutters.

Now, Sir, let me give some idea of the Orissa reforms. In August, 1938, their published scheme of reforms included the abolition of the working of the oil press by the prisoners—the most inhuman institution and the most archaic instrument of oppression that is still kept in force in our jails by the Government of Bengal. The scheme of reforms adopted in Bengal does not provide for the total abolition of this system. The Government only mean to restrict it within certain limits and the limits will, of course, be left to the discretion of the jail authorities. Orissa Government has set its face against it altogether. They are going to abolish this work by the prisoners. Other reforms in Orissa are of the following nature: in lieu of blanket which was unsuitable for the summer season every prisoner is being supplied with *durry* for his beddings: brass utensils with small alluminium cups have been introduced in place of iron utensils. Another important reform that they have effected is that the existing classification of political prisoners has been abolished and such prisoners are now placed in a single separate class with facilities provided for A class prisoners. Sir, there is a standing grievance of the political prisoners in Bengal in this respect, which the Bengal Government have never thought of redressing. Spinning and weaving will be introduced in the Orissa jails; and, what

is more, award of corporal punishment to prisoners without the previous sanction of the Provincial Government has been strictly prohibited there. Such are the progressive ideas of reforms that has been adopted even by smaller provinces like the Central Provinces and Orissa. But such a programme has never entered the sympathetic brains of our jail administrators here.

The Hon'ble Minister in charge of our jails, if he was unwilling to follow Central Provinces or Orissa, had another very good model before him yet he did not take the trouble of looking into it when he was after circulating the questionnaire for jail reforms.

In 1937, within a few days of Sir Samuel Hoare's acceptance of the office of the Home Secretary in England he introduced a large measure of reforms in English Jails and had our Hon'ble Minister in charge ever cared to look into the Report of the Commissioners of Prisons and the Directors of Convict Prisons for the year 1936 that was published by His Majesty's Government in 1938, I think he would have been much enlightened in this matter and his lamentable lack of ideas would have been removed. What were the important measures adopted there in England? To alleviate the misery of the poor prisoners here cannot our Government even contemplate introducing some of these reforms in our jails? "In April, 1935", the Report says, "we started an earnings scheme at Maidstone convict prison" "and in the light of our experience there and elsewhere" "earnings were introduced at Portsmouth Prison in April, 1937, at Chelmsford in August, 1937, at Dartmoor in September, 1937, and finally at Parkhurst in October, 1937." One "important result of this change for most prisoners is the possibility of obtaining tobacco immediately on reaching the convict prison instead of having to wait as formerly until they reached the special stage, that is, for four years". So, the item of reform, permitting smoking, adopted by the Central Provinces administration was probably taken from the well-tried new practice in British jails. In England, they have enlarged prison libraries, they have introduced pictures in jails, and, they have introduced radios as well as exhibition of films in prisons and borstal institutions. Can our Government not think of these things? Is there no one in the Bengal Secretariat who can enlighten our Home Minister about modern ideas in the modern reforms, Jail reforms?

Sir, apart from new reforms there are certain grave defects in the existing arrangements in our jails that call for early remedies The Hon'ble Minister ought to know that in our jails a large number of convicts suffer from diarrhœa and dysentery. What is the cause of it? It appears that in Bengal they have made *dal* an alternative article of diet to fish and *dal* is largely used instead of fish; that may be the reason why a large number of convicts suffer from diarrhœa and dysentery in our prisons.

Then, again, Sir, what about the tuberculosis menace inside the jail? Government recognise such a menace outside the jail; but what about this menace inside the jail? About one-sixth of the total number of deaths in jails is due to tuberculosis and our Jail Chief simply contents himself with saying that "instructions have been issued to all jails that arrangements should be made for segregation of cases of suspected tuberculosis of lungs in separate and commodious wards to prevent their infecting other prisoners." Let the Hon'ble the Home Minister take it from me that this direction is observed more in the breach than in observance even in our Central Jails. I can tell him from my personal experience as a visitor of the Dum Dum Central Jail that there, all the tuberculosis patients are kept in a room adjoining the other rooms in the hospital—all the rooms opening out into one and the same corridor. There is no separate ward far less a separate block for such patients. It is only one of the several rooms in the hospital block where all tuberculosis patients are kept. I enquired how was it that all these tuberculosis patients were kept there with constant risk of infection to the other sick prisoners. The reply that I could get was that there were only two jails in Bengal where there was separate arrangement for the accommodation of prisoners suffering from tuberculosis and they are the Suri Jail and the Comilla Jail. In the Suri Jail there was no room where these Dum Dum prisoners could be transferred; but if that was the case, the Government should have made separate block or ward for these prisoners so that they might not infect other prisoners. A separate block for the accommodation of tuberculosis prisoners in a jail was an imperative necessity and there can be no doubt about it. Either there should be more jails for the segregation of tuberculosis prisoners or there should be a separate block in every jail for the accommodation of such prisoners. Unless you make that arrangement certainly you cannot protect other prisoners in the jail from tuberculosis menace.

Mr. SPEAKER: How long will you take to finish your speech?

Rai HARENDRA NATH CHAUDHURI: Another five minutes, Sir.

Then, Sir, there is another question which affects a large number of the inmates of jail, the unfortunate children, I must say, who are cast into prison. Here is, Sir, one of the recommendations not from any busy body or an agitator but a recommendation that was made by the Inspector-General of Prisons in the Report for 1938. The recommendation was to this effect:—

"I am of opinion that Government should impress on Magistrates and Investigating Officers the importance of avoiding juvenile prisoners being sent to jails almost at any cost. A very large number of male adolescent convicts of the age from 16 to 21 years, numbering 3,092

was admitted during the year. It would be a greater kindness to the boy to send him for 2 or 3 years to a good Reformatory School or Borstal School, as the case may be, where he will get good general and technical education than to leave him in surroundings which have already led him into crime and may do so again. Government have already undertaken to build a new Reformatory School with increased accommodation. The question of building a new large Borstal School will also soon have to be considered."

But, Sir, we find no trace or evidence that the question has been considered. All that we find here provided for in the budget is the reorganisation of the Juvenile section of the Berhampore Jail at a cost of Rs. 5,244. I am quite sure that this provision is inadequate to meet the case. Government ought to think of providing for a new large Borstal School if it really intends not to make these children habitual offenders and long term convicts.

Sir, permit me to refer to a very thoughtful statement that was made by Sir Samuel Hoare within a few days of his taking office as Home Secretary in respect of young prisoners. This is what he said:

"The chief problem with which we are confronted to-day is the problem of the young prisoner, how are we to prevent him from coming back to the prison when once he has finished his sentence and been released. I imagine that there will be two methods attempted. First of all, making prison life so unattractive, discipline so rigid, making conditions so inhuman that it would deter them from fear of running the risk of going back. In actual practice I gather that method has not succeeded. Indeed, the more humane prison administration has become, the lower has been the number of habitual criminals. The greatest prison reform of to-day is the reform that keeps people out of prison altogether."

Sir, I am only looking for such a change, for such a reformation, in the attitude of the Bengal Minister in charge of the Jail, and I hope, Sir, that he will not lag behind when others were advancing with rapid strides.

Maulvi ABDUL WAHED: Sir, I beg to move that the demand of Rs. 34,49,000 made under the head, "28—Jails and Convict Settlements" be reduced by Rs. 100. মাননীয় সভাপতি সাহেব, আমি এই ছাটাইয়ের প্রস্তাব এনেছি এই উদ্দেশ্যে যে, জেলখানার কয়েদীদের উন্নতির জন্য গভর্ণমেণ্ট কোন চেষ্টা করেন না সে বিষয়ে আলোচনা করা দরকার।

মাননীয় সভাপতি সাহেব, খেলাফৎ আন্দোলনের সময় আমার জেলখানায় যাওয়ার সৌভাগ্য হোয়েছিলো। জেলখানায় গিয়ে যে দৃষ্টান্ত দেখেছি তাতে আমার মনে হয়, জেলে লোককে, অর্থাৎ অপরাধীদিগকে, যে উদ্দেশ্যে পাঠান হয় সে উদ্দেশ্য সাধিত হয় না। আমার মনে হয়, জেলখানায় অপরাধীকে পাঠাবার মুখ্য উদ্দেশ্যই হোচ্ছে এই যে, তার পুনরায় সেই অপরাধ করবার মতন প্রকৃতি আর যাতে না হয়—সেইরকমভাবে তার চরিত্র সংশোধিত কোরে তার চরিত্রের উন্নতি কোরে দেওয়া।

কিন্তু আমি জেলখানার ভিতরে গিয়ে দেখেছি যে, বর্ত্তমানে গভর্ণমেণ্টের জেলখানা রাখা হোয়েছে—সেখানে লোকদের পুরা শাস্তি দিয়ে শায়েস্তা করা ব্যতীত তাদের চরিত্র সংশোধনের বা যাতে তাদের চরিত্রের উন্নতি হোতে পারে এরকম কোন ব্যবস্থা নাই। ঢাকা জেলখানায়, মাননীয় হোম মিনিষ্টার সাহেবের বাড়ীর নিকট, আমরা যে দৃশ্য দেখেছি সে দৃশ্য "আমার জেলখানার বন্ধু" বাংলার অন্যতম মন্ত্রী মাননীয় তমিজুদ্দিন খাঁ বাহাদুর সাহেবও দেখেছেন। তখন তিনিও ছিলেন আমার জেলখানার একজন বন্ধু (laughter)। সেই ঢাকা সেণ্ট্রাল জেলে একটী কয়েদীকে একদিন তেল ভাঙ্গাবার গাছে কতগুলি শর্ষে ভাঙ্গিয়ে তেল প্রস্তুত কোরতে দেওয়া হয়। সে শর্ষেগুলি খারাপ ছিলো। তাই শর্ষে ওজন কোরে দেবার সময় কয়েদী জেল কর্তৃপক্ষকে জানায় যে, শর্ষেগুলি খারাপ এবং সে সেগুলি নিতে আপত্তি করে। উত্তরে কর্তৃপক্ষ বলেন "আমি জানি যে শর্ষেগুলি খারাপ। তুই ভাঙ্গিয়ে নিয়ে আয়।" তারপরে সেই শর্ষে ভাঙ্গিয়ে দেবার পরে তেল ওজন করার সময় প্রত্যহ তেল যে পরিমাণ হয় তার থেকে কম হওয়ায় জেল কর্তৃপক্ষ তাকে মারতে আরম্ভ কোরলেন। লোকটা কাঁদতে কাঁদতে বোলতে লাগলো যে, তেল কম হয়েছে শর্ষে খারাপ ছিলো বোলে। কর্তৃপক্ষ বল্লেন "শর্ষে খারাপ ছিলো—আমি তা জানি, কিন্তু তেল কম হলো কেন?" শর্ষে খারাপ সেটা যদি জানতে পারেন তাহলে তেল যে কম হবেই সেটা কি তিনি জানতেন না? নিশ্চয়ই জানতেন। কিন্তু তাঁর উদ্দেশ্য ছিলো—কয়েদীকে পেলেই মারতে হবে।

সভাপতি সাহেব, অনেক মত্তকী পরহেজগার মুসলমানকেও দেখেছি ঘটনাচক্রে জেলের কয়েদী হোয়ে বাক্স হোয়ে নামাজ ছেড়ে দিতে হয়। তাদের শৌচ ক্রিয়া ও হস্তপদাদি ধৌত করার বিশেষ বন্দোবস্ত নাই। মলমূত্রাদি ত্যাগের সময় একটু বিলম্ব হলেই ওয়ার্ডার নামধারী যে কতকগুলি লোক আছে তারা মারতে আরম্ভ করে। কাজেই তারা শৌচক্রিয়া যথারীতি সম্পাদন করবার সুযোগের অভাবে শরীরের পবিত্রতা রক্ষা কোরতে পারে না। (A member from the Coalition Party : আপনি কি কোরতেন?) সুতরাং এর ফলে অনেক মুছল্লি লোকেও নামাজ ছেড়ে দিতে বাধ্য হয়। জেলখানার ভিতর লোকদের কেবল অপরাধের শাস্তিই দেওয়া হয়, কিন্তু তাদের নৈতিক চরিত্রের যাতে উন্নতি হোতে পারে এবং কুপ্রবৃত্তি যাতে সংশোধিত হোতে পারে সে সম্বন্ধে কিছুই করা হয় না। আর একটা দৃষ্টান্ত দিচ্ছি: টাট্টি সাফ্ করার কাজ শুধু চোর ডাকাতদের দেওয়া হয়। একদিন ১২টার পর আমি পোছলখানায় গেছি, তার নিকটেই চোর ও ডাকাতেরা খাওয়া দাওয়ার পর আরাম কোরে বোসেছে। একটা বড় ডাকাত আর কতকগুলি লোককে ছাত্র হিসেবে ঘোরে শিখিয়ে দিচ্ছিলো কি কোরে তালা ভাঙ্গতে হয়, কি কোরে মন্ত্রবলে ঘরের মানুষকে ঘুম পাড়িয়ে রাত্রি বেলায় অনায়াসে চুরি করা যায়—এসব শিক্ষা দেওয়ার ব্যাপার আমি স্বচক্ষে দেখেছি ও স্বকর্ণে শুনেছি। (A member from the Coalition Party : মন্ত্রটা শিখিয়ে দেন না আমাকে।) এইসব শিক্ষা যে দেওয়া হোচ্ছে—যারা দিচ্ছে এবং যাদের দেওয়া হোচ্ছে তাদের কারোই চরিত্র সংশোধনের চেষ্টা গভর্ণমেণ্ট কোরছেন বোলে আমার বিশ্বাস হয় না। বরং জেলখানাথেকে চোরগুলি আরও পাকা হোয়ে বের হয়। সেই জন্য আমি দাবি কোরছি, অনুরোধ কোরছি গভর্ণমেণ্টকে, তাঁরা বাংলার জেলগুলি এমনভাবে গঠন কোরে তুলুন যেন সেগুলি কয়েদীদের নৈতিক, শারীরিক ও মানসিক শিক্ষাগারে পরিণত হয়, তবে অপরাধীদের জেলে পাঠানোর উদ্দেশ্য সাধিত হবে বোলে আমি বিশ্বাস করি।

Mr. SURENDRA NATH BISWAS: May I have your permission, Sir, to move the motion that stands in the name of Mr. Sibnath Banerjee and to speak a few words?

Mr. SPEAKER: How long will you take?

Mr. SURENDRA NATH BISWAS: Not more than five minutes.

Mr. SPEAKER: According to your calculation? (Laughter.)

Mr. SURENDRA NATH BISWAS: Sir, I beg to move that the demand of Rs. 34,49,000 for expenditure under the head "28—Jails and Convict Settlements" be reduced by Rs. 100.

Sir, the object of this motion is to raise a discussion about the introduction of a system of paying wages to the prisoners according to their work, and the request that has been made is very modest and reasoned. I want the prisoners to be paid wages for the labour that the prisoners put in in the jails. Sir, if payment of wages can have no other effect, it can at least have one salutory effect, and that is that it is very likely to remove the criminal mentality from the minds of the prisoners. I have got experience of two jails, namely, the Dacca Central Jail and the Presidency Jail. I have seen that the industrial products that are manufactured in the jails are manufactured mostly by "B" class prisoners. Most of these prisoners have to come to jail for committing thefts, and a criminal committing theft may be said to have committed it for want of proper employment. I have consulted many prisoners and have come to know that if at the time of their release they are given facilities for proper employment outside, then they may lead a life of good citizens and may not commit any more theft. So, this is a point which deserves the attention of the Hon'ble Minister in charge of the Jail Department. If these prisoners are allowed to get some wages for the work they put in in the jail and if their wages are accumulated and paid to them at the time of their release, then with that money the prisoners may carry on industry or trade and may thus get employment when they come out of the jails. I can tell the honourable members of this House that the section 110 case prisoners cannot remain outside for long. If once a person is convicted under section 110 and goes to jail even for one year, he cannot live outside even for five days after his release after one year, because he is hunted by the police, and if any theft is committed in the neighbourhood of the place where he lives, he is again hauled up and sent to jail. In this way, if once a person is convicted under section 110, he becomes a life-long prisoner in jail. It is not imagination but it is a fact. So, in order to enable these prisoners to earn their livelihood by carrying on an honest means of living, suitable opportunities should be given to them. If that is given, I think, these prisoners will no longer have any occasion to go to jail. I find from the Budget that during the last year—in the year 1938-39—the Jail Department spent about Rs. 4,09,000 apparently for raw materials and other things, and the sale proceeds of the jail products amounted to Rs. 5,28,000. That is, the net income was about Rs. 1,19,000. In this year's budget, I find that the net income would amount to about

Rs. 1,73,000. Sir, if a portion of this net income is set apart as wages for those prisoners who need some employment after their release, I hope that this will go a great way in reforming that class of prisoners. It is a very modest request and it involves humane consideration to the prisoners for which my friends have spoken just now. If Government wants to reform the criminal mentality of the prisoners, Government should adopt such measures which will go a great way to enable them to live honest lives by carrying on honest profession.

With these words, Sir, I commend my motion to the acceptance of the House.

Mr. ATUL KRISHNA GHOSE: Sir, I beg to support the cut motion that stands in the name of my comrade Mr. Sibnath Banerjee.

Sir, as regards the jail administration, there are so many things to be mentioned that it is simply impossible to give expression to all those thoughts and ideas in a few minutes' time. But the staggering fact that I have had to witness as a non-official visitor in the jail of Jessore, I would narrate in a few words to draw the attention of the Hon'ble the Home Minister. Only the other day when I had been to Jessore and I had a discussion with the prisoners there, some of them in the presence of the Jailor told me clearly that they did not get sufficient rice even for their food. Not to speak of *dal*, fish or vegetables or any other thing—even the quantity of rice was not sufficient for them. When I asked the Jailor about this matter he told me that according to the scale laid down by Government, the Jailor could give only a specified quantity of food for each and every convict. Now, Sir, there are cases where one convict can eat much more rice than another. In those special cases the jailors are not entitled—as he reported these facts to me—to give more quantity of rice to a particular convict who is habituated to eat more than his fellow prisoners. This I consider to be an inhuman state of affairs and the authorities of the jail administration ought to look into the matter properly. If there happen to be a few convicts who eat much more rice than others and perhaps who require much more quantity of rice than he is allowed under the scale specified by Government, I think it is the duty of Government to give directions to the jailors that in those special cases they should give them some more quantity of rice.

Then, Sir, I would like to draw the attention of the Home Minister to two other facts. In the jail administration if we enquire into the matter almost every jailor will honestly admit that though *biris* are prohibited according to the Jail Rules, yet *biris* are being supplied by unfair means, by bribery and other methods. When the jailors themselves admit it and when corruption prevails there, is it not high time for the Government to consider the situation and allow the prisoners to have their *biris* so that they may get them without having recourse

to any unfair means and without corrupting the warders by bribery. This is another important issue which I hope the Hon'ble Minister will consider and reconsider.

Then, Sir, I would like to draw the attention of the Hon'ble Minister to another fact—I mean the question of latrines. If there is any sense of decency——

Mr. SPEAKER: I think Maulana Sahib has said enough.

Mr. ATUL KRISHNA GHOSE: Then they ought to consider and revise this question again. In reply to the questionnaire that were sent to members and to many gentlemen all over Bengal I think that many of them have suggested to reform this dirty affair of latrines. Those who had been to jail and those who are acquainted with the affairs of latrines they have got to shudder at the idea of those latrines. If the Hon'ble Minister or his department has got any sense of decency whatsoever—in the year of 1940 living as we do in this practical and civilised world—I think Government ought to take immediate measures to remove that sort of latrines and to substitute something where gentlemen can go. Since I have not got much time at my disposal and you, Sir, have said that the Maulana Sahib has already submitted enough, I would not take more time of the House but with these words I shall commend the cut motion to the acceptance of the House.

The Hon'ble Khwaja Sir NAZIMUDDIN: Sir, there is not a great deal that I have got to say. Rai Harendra Nath Chaudhuri read out only selected bits out of the Report which suited him perhaps and missed quite a large number of them.

Rai HARENDRA NATH CHAUDHURI: You read out the whole.

The Hon'ble Khwaja Sir NAZIMUDDIN: That is what I propose to do. It will show that quite a large number of reforms are being effected and they compare favourably with those in other provinces. Very likely the honourable member intentionally did not mention one particular province where a large measure of reforms were promised but could not be carried out for want of funds, but the fact remains that we all realise the necessity of reforms. There are many proposals pending with the department for a long time and there is no doubt that these reforms are desirable but it is a question of ways and means as to whether in a particular budget it is possible to find sufficient money for the reforms that one would like to have. The extraordinary thing is that members of the Opposition act just as our party members do in these matters. For when we have discussed this matter in our party meetings the same principle applies—when a particular demand is put before them they concentrate all their attention on it and want all

possible funds to be incurred on that head—then when the Government put forward the plea that it is not possible to do so because of want of funds their reply is "retrench from other departments and give it to this particular department." But it is very difficult for Government to give by retrenchment from other departments, because the Ministers in those departments have got equally important reforms to take up in their departments and every department clamours for its share and when the amount of money is limited and it has got to go round among all other departments whatever little bit we can get we feel very happy that we have been able to secure at least this much. So far as jail administration is concerned some of the reforms are most urgent and one of them is the construction of buildings. (Rai HARENDRA NATH CHAUDHURI: Solid reforms.) Yes, solid reforms. At the present time there is a great deal of congestion for want of space. Now take the question of latrines. If you want to make sanitary arrangements and have them properly——(Rai HARENDRA NATH CHAUDHURI: First of all introduce privacy.) Yes, after privacy was ensured members would ask why not make sanitary arrangements. Then the ideal would be sanitary privies and they will be so expensive——(Rai HARENDRA NATH CHAUDHURI: But privacy should be given the first place.) Quite true. One by one they are being done. We are proceeding in this matter in a systematic manner. We have issued a questionnaire, we have got replies and although the replies have not given us any new constructive ideas, most of them were already before us and could not be given effect to only for want of funds but we are laying the foundation stone on the right lines and they will be introduced as funds become available. I am surprised that the honourable mover of the first amendment omitted to mention the steps that Government have taken for imparting education among the prisoners. (Rai HARENDRA NATH CHAUDHURI: Only one step, nothing more.) With a view to imparting education Government have sanctioned the employment of teachers in all Central Jails excepting Dum Dum and books, slates and other equipments have been provided for the prisoners. (Rai HARENDRA NATH CHAUDHURI: To how many prisoners?). All prisoners in the Central Jails. (Rai HARENDRA NATH CHAUDHURI: But where is the provision for all this in the budget?) The teachers would not cost much, and I am talking of Central Jails only and not of all jails. Arrangements have also been made for occasional lectures with or without lantern slides or moving pictures. As an experimental measure Superintendents of Central Jails have been authorised to arrange with local Women Social Service Institutions for voluntary and honorary instruction to female prisoners as well as to female warders and matrons in suitable arts and cottage industries. Here I would like to point out that I have a feeling that a great deal can be done for improving the condition of the prisoners if the Social Service League and Societies interest themselves in this matter, and do something for helping the prisoners. Rai Harendra Nath Chaudhuri

has quoted what is being done in England, but there I think—I speak subject to contradiction—that a great deal of work is done by voluntary workers and philanthropic persons who give a good deal of their time to jails, who visit the jails and who interest themselves in individual prisoners, and by their sympathetic treatments and conversation they make a great deal of difference in the conduct of the prisoners after they are released. Similarly, take the question of imparting religious instructions, and take also the question of leading the *Juma* prayers. As far as the latter is concerned it is not fair to expect Government to provide for *Imams* for leading *Juma* prayers. There are so many qualified men who say their *Juma* prayers. It is all a question of finding a man who can volunteer his services to lead the *Juma* prayer in jails. I am sure if non-officials take some interest, particularly, the members of the various jail committees, and if they went in for these things a great deal can be done. Here again the giving of lectures, conversations and meetings can be developed. If approved persons would come forward and agree to visit jails and speak to the prisoners, Government will give all facilities in this respect

Mr. ATUL KRISHNA GHOSE: What about the quantity of rice?

The Hon'ble Khwaja Sir NAZIMUDDIN: I am coming to that. You can rest assured that it is one of the main points in which I can score over you. What is more as it was raised by you I could never miss it. If I may digress for a minute, as far as the quantity of rice is concerned our record is that it is adequate. No member of the Committee has made any complaint about it, and generally, as I have said more than once, our records show that the prisoners gain in weight rather than lose

Rai HARENDRA NATH CHAUDHURI: It is an old exploded theory.

The Hon'ble Khwaja Sir NAZIMUDDIN: I cannot understand why it should be an exploded theory. After all, it is a practical thing. The prisoners go there and afterwards come out having gained in weight.

Rai HARENDRA NATH CHAUDHURI: How many?

The Hon'ble Khwaja Sir NAZIMUDDIN: A majority.

Rai HARENDRA NATH CHAUDHURI: Not a majority.

Babu NARENDRA NARAYAN CHAKRABARTY: Sir Nazim, এটা আমার কাছে থেকে নেবেন, আসলে কি যে হয়—আমি যেন আমি।

The Hon'ble Khwaja Sir NAZIMUDDIN: I know this that Mr. Niharendu Dutta Mazumdar has more than once stated in this House that from the time Mr. Sibnath Banerjee has been in jail he has grown very fat. I am merely repeating what he has said. Here is a tangible proof by actual physical presence. Mr. Banerjee has also admitted that to me. Now, Sir, I don't understand why Mr. Harendra Nath Chaudhuri belittles this construction of four new work sheds in the Dum Dum Central Jail.

Rai HARENDRA NATH CHAUDHURI: I only said that we would prefer other schemes.

The Hon'ble Khwaja Sir NAZIMUDDIN: As far as the improvement of the lot of the prisoners is concerned the installation of cutting and spearing machinery in the Dacca Jail Factory for the supply of clothing has already been mentioned. I admit the library grant is small, but perhaps next time your remarks will help me to get more in the next budget.

Rai HARENDRA NATH CHAUDHNRI: Only in that small respect?

The Hon'ble Khwaja Sir NAZIMUDDIN: Here is a thing which can be improved.

Dr. SURESH CHANDRA BANERJEE: What kind of books will be kept there?

The Hon'ble Khwaja Sir NAZIMUDDIN: Not communistic literature, but some interesting books on literature, if you can present them. Here is another opportunity. Members complain of inadequacy of funds for books. There are so many people who have got books which they do not know what to do with. If they could send them to the jails, they would be gladly accepted.

Rai HARENDRA NATH CHAUDHURI: What is the literacy figure in jails?

The Hon'ble Khwaja Sir NAZIMUDDIN: I don't know about that.

Maulvi MD. MOZAMMEL HUQ: On a point of order, Sir, মাননীয় সভাম্থা মহোদয়, আমি একটি প্রশ্ন জিজ্ঞাসা করিয়েছি, সেদিন কংগ্রেস বেঞ্চ মাননীয় নাজিমুদ্দিনের কথা শুনিবেন না বলিয়া কত কীর্ত্তিই করিলেন। আজই আবার হাসি ঠাট্টা সবই দেখি চলিতেছে।

Mr. ATUL CHANDRA KUMAR: It is sportsmanship.

The Hon'ble Khwaja Sir NAZIMUDDIN: There is one thing about which I am very keen and which I consider really a major scheme and most essential and that is the provision for the reorganisation of the Reformatory Industrial School at Alipore. We provided money in the last year's budget and we had our scheme ready for the land acquisition. Unfortunately, we received a lot of opposition from people whose lands were to be acquired. Many of them came forward and suggested alternative sites. They are not suitable and, at the same time, the cost of acquisition has gone up. The result is that we have not been able to provide the money, but I consider this as one of the most essential reforms.

I agree fully with various speakers who have said that adequate arrangements should be made to separate the juveniles from the adult prisoners. At the present time we have not got adequate accommodation to give effect to this policy. If the situation improves and I can come forward with a supplementary demand under this head, I will certainly try to do my utmost. But, I feel that it is one of the most important and foremost reforms that Government should undertake as soon as possible.

In view of the paucity of time I regret that I cannot deal with the other points. As far as the question of wages is concerned it is a very difficult and complicated problem. So far, our policy has been that the jail industry should not be a competitive industry with other industries. And, therefore, if we want to pay wages, the whole question becomes a question of competition with private industries. The question is under examination, and it has got certain attractions for me. But as soon as we are in a position to evolve a satisfactory scheme, effect will be given to it.

The motion of Rai Harendra Nath Chaudhuri that the demand of Rs. 34,49,000 under the head "28—Jails and Convict Settlements" be reduced by Rs. 100, was then put and lost.

The motion of Mr. Abdul Wahed that the demand of Rs. 34,49,000 under the head "28—Jails—and Convict Settlements" be reduced by Rs 100, was then put and lost.

The motion of Mr. Surendra Nath Biswas that the demand of Rs. 34,49,000 under the head "28—Jails and Convict Settlements" be reduced by Rs. 100, was then put and lost.

The motion of the Hon'ble Khwaja Sir Nazimuddin that a sum of Rs. 34,49,000 be granted for expenditure under the head "28—Jails and Convict Settlements" was then put and agreed to.

At this stage, the House was adjourned till 9-30 p.m.

(After adjournment.)

Mr. SURENDRA NATH BISWAS: Sir, after the Hon'ble Minister in charge of the Bill has given the members of the House a very heavy and sumptuous dinner, will it be in order for him to make us all feel uncomfortable? If not, should he not accept all the amendments that may be moved, without any speech on either side? (Laughter.)

Mr. SPEAKER: I am perfectly certain that unless he does so, there will be disorder in your stomach. (Laughter.)

GOVERNMENT BILL.

The Bengal Non-Agricultural Tenancy (Temporary Provisions) Bill, 1940.

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Sir, I beg to move that the Bengal Non-Agricultural Tenancy (Temporary Provisions) Bill, 1940, as reported by the Select Committee, be taken into consideration.

Sir, Government received reports from various quarters alleging that the landlords of non-agricultural tenancies were serving the tenants under them with notices for ejectment and also instituting a large number of ejectment suits in order to anticipate legislation by Government curtailing the rights of landlords to evict tenants-at-will. Now, the attention of Government was also drawn to this problem by introduction of various non-official Bills in this House and elsewhere during the last two years. In the memorials that Government received from the tenants of non-agricultural holdings, they were requested to undertake legislation to give them protection against eviction. As Government had no materials in their possession, they appointed a Committee in 1938 to enquire into the problem. The Committee has not yet concluded its labours. In August, 1939, Government issued a communiqué explaining the problem and requesting landlords of non-agricultural holdings not to create a panic among the tenants of non-agricultural holdings by serving them with notices or by instituting ejectment suits against them. But unfortunately this advice was not accepted, and

Government, in order to give protection to the tenants of non-agricultural holdings, introduced a Bill at the beginning of the current session with a view to preventing execution of decrees in ejectment suits. The Bill was referred to a Select Committee. The Select Committee has now reported and has recommended various changes in the original Bill.

Now, clause 1 of the Bill, it has been recommended, should be applicable not merely to holdings within municipal areas. The Select Committee has suggested that this Bill should govern also tenancies outside the municipal areas. Thus the scope of the Bill has been considerably widened..... .....(Dr. NALINAKSHA SANYAL: All these have been read by members. You need not place them before the House.)

Sir, in clause 3 of the Bill, substantial changes have been recommended; sub-clauses (*a*) and (*b*) have been omitted and sub-clause (*c*) also has been amended to a large extent to make it not applicable to cases governed by section 116 of the Transfer of Property Act.

So, these are the main changes, besides the omission of the time-limit clause in sub-clause (*3*) of clause 1 of the Bill. This, I venture to submit, militates against the temporary character of the Bill. These are the main changes that have been recommended and I hope, the House will agree to my motion and proceed with the consideration of the Bill.

Mr. GEORGE MORGAN: Mr. Speaker, Sir, in rising to say a few words on behalf of my Party I wish to state at the outset that we have no intention of opposing the motion for consideration. But I desire to make it perfectly clear to the House, Sir, that should my amendment to restore the time-limit not be accepted we will oppose the third reading of the Bill.

The Bill as it has emerged from the Select Committee has changed the aspects of the Bill and has defeated the intentions of Government. As it stands at present it is quite unacceptable. The intention of Government was to place a purely temporary measure on the Statute Book to save injustice being done to tenants by ejectment while the question of legislation was under consideration. It was Government's intention to await the report of the Chandina Committee before deciding to bring in legislation of a permanent nature.

The Bill as it stands is, in my opinion, a dangerous one and should not be accepted by the House without amendment.

The motion of the Hon'ble Sir Bijoy Prasad Singh Roy that the Bengal Non-Agricultural Tenancy (Temporary Provisions) Bill, 1940, as reported by the Select Committee, be taken into consideration, was then put and agreed to.

Clause 1.

Mr. ADWAITA KUMAR MAJI: I beg to move that in clause 1 (*1*), line 2, the words and brackets "(Temporary Provisions)" be omitted.

Dr. SURESH CHANDRA BANERJEE: I beg to move that in clause 1, for sub-clause (*2*) the following sub-clause be substituted, namely:—

"(*2*) It extends to the whole of Bengal."

Maharaja SASHI KANTA ACHARYYA CHOUDHURY, of Muktagacha: I beg to move that in clause 1 (*2*), lines 1-7, the words beginning with "excluding Calcutta" and ending with the figures "1866" be omitted.

Mr. ATUL KRISHNA GHOSE: I beg to move that in clause 1 (*2*), line 1, for the word "excluding" the word "including" be substituted.

Mr. NISHITHA NATH KUNDU: I beg to move that in clause 1 (*2*), lines 3 to 7, the words "and such suburbs of Calcutta as may have been or may hereafter be notified under section 1 of the Calcutta Suburban Police Act, 1866" be omitted.

Mr. JATINDRA NATH BASU: I beg to move that the following be added to sub-clause (*2*) of clause 1, namely:—

"and excluding such areas within the limits of any other municipality in Bengal as may be notified by Government for such exclusion".

I beg also to move that sub-clause (*3*) of clause 1 be re-instated.

I beg further to move that after clause 1 (*2*) the following sub-clause be added, namely:—

"(*3*) It shall continue in force for one year from the date of its commencement."

Mr. SPEAKER: The debate is now open. If any one wants to speak he may do so.

May I in this connection suggest that probably in this Bill there is very little scope for argument but there is scope only for expression of views. So I think it would do if I fix 5 minutes for each speaker.

Dr. SURESH CHANDRA BANERJEE: Sir, the Bill as it has emerged from the Select Committee has excluded Calcutta and almost all its suburbs. A large portion of Calcutta and its suburbs are mainly inhabited by labourers working in mills and factories. Many of these labourers have taken lands from their proprietors, some 20 years back, some 30 years back, some 40 years back, some 50 years back, some 100 years back and some even 150 years back, and taking lands as tenants-at-will have constructed houses there spending money. In one portion of the house so constructed the labourers who have taken the land on rent live and the other portion they have rented out to other labourers and in this way they are earning something. Now, Sir, if the Bill as come out of the Selected Committee is accepted, its meaning will be that these labourers, who out of their own money, have constructed these houses would not only lose money spent in the construction of the house but would also be deprived of a part of their earning.

As a matter of fact many ejectment suits have already been filed against them and as the Hon'ble Minister moving the Bill said that as long back as 1938 petitions came to the Hon'ble Minister requesting him to do something so that ejectments may be stopped. I am sure, I know, that the majority of these petitions, if not a majority, certainly a good number of them,—have come from these labourers. As the House knows very well I am interested in these labourers and in the course of these years I too had to address many meetings of the labourers with regard to this and I know their feelings. Therefore, I have made my amendment in this way; namely, to extend the scope of the Bill to the whole of Bengal. I really see no reason why these poor labourers should be excluded from the operation of this Bill. I was thinking within myself what may be the meaning of this. One reason of course is quite obvious. In the case of mofussil probably the proprietors as well as the tenants are Bengalis. So the question has not come. In the case of Calcutta and suburbs I know many of the proprietors are Bengalis and the tenants non-Bengalis. This provincial feeling might have been the cause. But I warn the House not to think like that. I, as a Socialist, do not care for all this. To me all people are alike. To the members of this House my request is that they should think over the matter carefully. Why this injustice should be done to them? These people have been living here for fifty, sixty, seventy and hundred years. They have erected houses out of their own money. They have been enjoying all these privileges. Why they should, because they come from another province, all on a sudden be deprived of these privileges? I consider this exclusion as most unjust, inimical to and against the spirit of modern age. This is my main argument

against the exclusion of Calcutta and suburbs and therefore this Bill should be amended in the way I have suggested. Otherwise a great injustice will be done to the labourers.

Another word more and I finish. I know the zemindars will feel some resentment but I tell them one thing. The days of zemindari and *mahajani* are fast fading away. The Bengal Agricultural Debtors Act has already made *mahajans* ordinary men. I come from mufassal and I know a good deal about *mahajani* or money-lending system. As a result of the Bengal Agricultural Debtors Act the money-lenders are no longer rich. They have become poor, but I am not sorry for them. When they in my own village come to me I tell them to begin life afresh as one of the rank, earn as ordinary men, be honest men and not to exploit others but to earn their bread by the sweat of their brow. The zemindars are sure to suffer as a result of this Bill. My humble request to them is that they should think in terms of modern age. They should not think themselves as zemindars with vested interests which must continue for ever. They should think that in future they will have to be one of the ranks and earn their livelihood not by the exploitation of others but by their own hard labour.

(At this stage the member having reached the time-limit resumed his seat.)

Mr. ATUL KRISHNA GHOSE: Mr Speaker, Sir, in support of my amendment I would like to speak a few words which I hope will draw the attention of the whole House. Sir, long ago when I was merely a school-boy I read one line of the late Pundit Haraprasad Sastri——

"বাঙ্গালী একটী আত্মবিস্মৃত জাতি" that we Bengalees have forgotten our own identity and we cannot trace our origin. Whatever might have been the truth of the utterance of that great Pundit with regard to our race what I realise to-day is that out of 250 members of this House at least 225 come from mufassal and when they come to Calcutta and assemble in this House, perhaps they forget their origin, their identity that they come from mufassal. What is the total Bengali population of Calcutta? Of the total Bengali population in Calcutta, I think more than eighty per cent. come from mufassal. It is people of Barisal, Jessore, Faridpur, Nadia and many other districts who come here and become Calcutians. But sitting here within the precincts of this big town what are we going to do? We are going to exclude Calcutta from the category of this Bill. Now who are these Calcutta tenants? May I ask through you, Sir, whether the Chief Minister himself is a tenant of Calcutta or not? Is he is a landlord in Calcutta or a tenant? Is the Hon'ble Mr. Mukunda Behary Mullick a tenant or a landlord? If I mention the name of each and every member of the House, I think it will not be an exaggeration on my part to say that 90 per cent. of these members are more or less

tenants and if they themselves are not tenants, their brothers, their nephews, their sons, their relatives are tenants in Calcutta and I do not understand why they are so very forgetful of the interests of the tenants of Calcutta. Sometimes we are led to believe that Calcutta tenants are tenants of a different category and their interest is not so much to be looked after. Time after time I have put questions and supplementary questions to bring out this fact as to how could a Government tolerate the ejectment of tenants of Calcutta by giving fifteen days' notice only. I appeal to the members of this House to realise the position of their relations who having no employment whatsoever have settled down here after long struggle with a capital varying from Rs. 500 to Rs. 5,000 which I consider to be the maximum. I belong to a middle class family and I know what is the real state of things. Just imagine the conditions of your relations who with either Rs. 500 or Rs. 5,000 have settled down and started shops and have got some business and who have got fifteen days' notice from their landlords to vacate the premises. It is under the threat of ejectment that the landlords enhance rents. I put this question repeatedly to the Nawab Bahadur of Dacca and with due respect to him if I am permitted to say I would say that he has no imagination to go deeper into the problem. These Calcutta landlords, including Sir Bijoy Prasad Singh Roy, who I see is absorbed in some other talk, know that only a few years ago there was the Calcutta Rent Act, and under this Act there was a provision that the tenants could not be ejected unless and until the landlords could prove before the court that they were going to occupy the houses for their own personal use. But to-day, no reason, no argument, whatsoever is necessary. Only fifteen days' notice is sufficient to eject a tenant. This is the position of Calcutta tenants and ninety per cent. of the Calcutta tenants are mufassal people. The shop-keepers, those who come here for the purpose of service, those who come here for the purpose of trade and commerce are the people who are being hard hit and only a limited number of landlords are enjoying this extra benefit.

Now I come to the theory of economics. As regards the question of unearned increment, it has been the recognised policy and principle of every civilised Government to minimise the income of unearned increment.

Neither the value of the old house, nor the brick, nor the *soorki*, nor the *chunc*, has improved in any way, but the rent increases from year to year, and tenants can be ejected by giving 15 days' notice only. Is there any justice whatsoever? If anybody is affected by this sort of legislation, it is the Calcutta tenants and to-day, Sir, we hoped that by some chance provision was being made in this Bill for relief of the tenants. But to our utter surprise, Sir, Calcutta is being excluded, to serve the interests of a few landlords who entered into a conspiracy for the abolition of the Calcutta Rent Act.

With these words, Sir, I commend my motion to the acceptance of the House.

Mr. NISHITHA NATH KUNDU: Sir, I shall be very brief. I very much wish that the Act should apply to the whole of Bengal including Calcutta. But realising that the hardships of tenants living in Calcutta proper are lesser than those in the mufassal I have moved an amendment by way of a compromise between the Select Committee recommendation and the other extreme amendments. I have asked by my amendment to exclude the suburbs of Calcutta to which section 1 of the Calcutta Suburban Police Act, 1866, applies. Our burden has been very much lessened, Sir, by the introductory speech of the Hon'ble the Revenue Minister. He has admitted that in August, 1939, Government issued a communique requesting landlords not to eject tenants unnecessarily. It was admitted in the communiqué, and the Hon'ble Minister has also admitted it here to-night, that landlords did not act up to the request made in the communique. I have not been able to procure an English copy of the communiqué, but here is a Bengali translation which says

সত্য বটে, যাহারা সাধারণতঃ চান্দিনা প্রজা বলিয়া উল্লিখিত হয় তাহাদের অবস্থা সম্বন্ধে তদন্ত করিবার জন্য আইন সভা একটি কমিটী নিযুক্ত করিয়াছেন। * * * *
কমিটী যদি বুঝিতে পারেন যে, চান্দিনা প্রজাদের প্রতি অন্যায় ব্যবহার হইতেছে এবং ন্যায়সঙ্গত কারণ না থাকা সত্ত্বেও প্রজাগণ দীর্ঘকাল ধরিয়া যে জমি ভোগ দখল করিয়া আসিতেছে, সেই জমি হইতে উচ্ছেদ করা হইতেছে, তাহা হইলে এই শ্রেণীর প্রজাদিগের রক্ষাকল্পে গভর্ণমেণ্ট আইন প্রণয়ন করিতে বাধ্য হইবেন।

Government are, therefore, pledge-bound to give protection to all the non-agricultural tenants in the province. In the communiqué they did not differentiate between tenants living in Calcutta and tenants living in the suburbs and tenants living in mufassal. They extended this understanding that they would give this protection to non-agricultural tenants everywhere in the province if they found that the landlords were unnecessarily oppressing them. After Government had admitted that the landlords did not act up to their request and that the landlords brought ejectment suits and gave notice to the tenants to quit, it was the bounden duty, the imperative duty of Government, nay,—the Government were morally bound to give protection to all tenants, whether the tenants live in the suburbs or elsewhere to which the Police Act applies. So, I do not find any reason whatsoever to exclude these tenants. I shall be glad to hear from the Hon'ble Minister the reasons for excluding these tenants. I have also been furnished with a copy of the memorial that has been addressed to the Hon'ble Mr. A. K. Fazlul Huq, the Chief Minister, by the tenants of Tollygunge. This is a copy of the memorial signed by Shaikh Ismail and others. In the memorial they have mentioned that there was a distinct understanding by the landlord in Tollygunge area that they

would be improving the land, by reclaiming it, by raising the land, by filling up tanks and ditches, by cutting jungle, and by making the site habitable, allowed to live there permanently. It is under these conditions that non-agricultural tenants not only in Calcutta but everywhere in the province built up their permanent place of residence. If this is not allowed, then what will be the consequence? To-morrow after we have gone out of this Assembly after passing this Bill, landlords will at once go on indiscriminately bringing ejectment suits and the tenants will be ejected unless they agree to meet some sort of unreasonable demand from landlords by way of *selami* or enhanced rent. This is the danger, Sir, with which we are faced by excluding these tenants. Therefore, I hope, Sir, the Hon'ble the Revenue Minister will meet us midway by accepting my amendment.

Maharaja SASHI KANTA ACHARYYA CHOUDHURY, of Muktagacha: Sir, the idea of my amendment is that no law should be discriminatory. If the present law is intended for the relief of all tenants in Calcutta and in the mufassal and when it is a fact that Calcutta has under its jurisdiction the largest number of tenants-at-will than any other municipal area, I do not see any reason why Calcutta should be excluded. (Cries of "Hear, hear" from Congress Benches.)

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Sir, several amendments have been moved and without referring to the arguments in detail I would just like to submit that the problem in Calcutta and in the mufassal towns is not the same, and the conditions of tenants in mufassal towns and in Calcutta are not at all comparable. Moreover, it has not been brought to the notice of Government that a large number of ejectment suits have been filed by the landlords of Calcutta against tenants within Calcutta or within the suburbs, as notified by the Suburban Police Act. Calcutta is a growing city and its problems are entirely different. We do not want to check the growth of Calcutta. Sir, in mufassal, towns are not growing in the same sense as Calcutta. On the other hand, so far as my information goes, the landlords in Calcutta are anxious to retain their tenants and not to eject their tenants. (Dr. SURESH CHANDRA BANERJEE: What about Belgachia?) My friend Dr. Suresh Chandra Banerjee referred to the labourers being ejected from their houses which they had themselves built. But I think no such problem exists. Within Calcutta I do not think the labourers live in their own houses. If they have built their own houses, they are permanent tenants. So they cannot be ejected. (Dr. SURESH CHANDRA BANERJEE: It is not a fact.)

Sir, I would refer next to the amendment moved by the Maharaja of Mymensingh. I have known of cases where one had cut his nose to

spite his enemy. (Laughter.) But I have not yet known of a case where one has cut his nose to spite his friends. I think the Maharaja has cut his nose to spite his friends. (Laughter.)

Mr. SPEAKER: I think, that is the crux of the reply. (Laughter.)

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Sir, Government are prepared to accept the amendment moved by Mr. J. N. Basu—amendment Nos. 21-26.

The motion of Mr. Alwarta Kumar Maji that in clause 1 (*1*), line 2, the words and brackets "(Temporary Provisions)" be omitted, was then put and lost.

The motion of Dr. Suresh Chandra Banerjee that in clause 1 for sub-clause (*2*) the following sub-clause be substituted, namely:—

"(*2*) It extends to the whole of Bengal"

was then put and lost.

The motion of Maharaja Sashi Kanta Acharyya Choudhury, of Muktagacha, that in clause 1(*2*), lines 1-7, the words beginning with "excluding Calcutta" and ending with the figures "1866" be omitted, was then put and lost.

The motion of Mr. Atul Krishna Ghose that in clause 1(*2*), line 1, for the word "excluding" the word "including" be substituted, was then put and lost.

The motion of Mr. Nishitha Nath Kundu that in clause 1(*2*), lines 3 to 7, the words "and such suburbs of Calcutta as may have been or may hereafter be notified under section 1 of the Calcutta Suburban Police Act, 1866" be omitted, was then put and lost.

The motion of Mr. Jatindra Nath Basu that the following be added to sub-clause (*2*) of clause 1, namely:—

"and excluding such areas within the limits of any other municipality in Bengal as may be notified by Government for such exclusion"

was then put and lost.

The motion of Mr. Jatindra Nath Basu that sub-clause (*3*) of clause 1 be reinstated, was then put and agreed to.

The motion of Mr. Jatindra Nath Basu that after clause 1(*2*) the following sub-clause be added, namely:—

"(*3*) It shall continue in force for one year from the date of its commencement"

was then put and lost.

The question that clause 1, as amended, stand part of the Bill was then put and agreed to.

Clause 2.

Mr. SPEAKER: I consider that amendment No. 33 is very badly drafted and need not be moved.

Dr. NALINAKSHA SANYAL: May I submit, Sir, with reference to amendment No. 33 that it practically quotes the language of section 8 of the Bill itself where it is said that "Nothing in this Act shall apply to any tenant who holds non-agricultural lands under the Central or Provincial Government or under a local authority"?

Mr. SPEAKER: You want to transfer it to clause 2?

Dr. NALINAKSHA SANYAL: The idea was that it would probably serve the purpose of deleting clause 8 if the words there are brought in here.

Mr. SPEAKER: Well, I do not question your object, but look at the language: "who holds under another person and under the Central or Provincial Government or under a local authority and is liable to pay rent, etc., etc."

Dr. NALINAKSHA SANYAL: Sir, you can take away the word "under". The whole idea is that apart from individual landlords the Government may also be included

Mr. SPEAKER: But Government cannot be included in the word "person".

Mr. DHIRENDRA NATH DATTA: May I read out clause 8, Sir?

Mr. SPEAKER: No, no, you need not. However badly the amendment may have been worded Mr. Mal may move it after all.

Mr. ISWAR CHANDRA MAL: With your permission, Sir, I beg to omit the word "under" from my amendment and move as follows: "That in clause 2, line 4, after the word 'person' the words 'and the Central or Provincial Government or a local authority' be inserted."

Babu KSHETRA NATH SINGHA: Sir, I beg to move that in clause 2, in line 4, after the words "pay rent or" the words "but for a contract to the contrary" be inserted.

Mr. RASIK LAL BISWAS: I beg to move that in clause 2, in line 6, after the word "agreement" the words "written or otherwise" be inserted.

Mr. SURENDRA NATH BISWAS: Sir, I beg to move that in clause 2, in line 6, after the word "agreement" the words "written or oral" be inserted.

Mr. MAQBUL HOSSAIN: I beg to move that in clause 2, in lines 10-14, the words beginning with "but does not" and ending with "such person" be omitted.

Mr. SURENDRA NATH BISWAS: I beg to move that in clause 2, in line 13, after the word "holds" the words "the same" be inserted.

I also beg to move that in clause 2, in line 14, after the word "superior" the word "landlord" be inserted.

Mr. RASIK LAL BISWAS: সভাপতি মহাশয়, আমার এই amendment সম্বন্ধে বক্তৃতা দিয়ে বোঝাবার বিশেষ কিছু নেই। আমি বোলতে চাই যে, agreement এর কথা Bill এর মধ্যে যাহা আছে তাহা written হলেও চোলবে, oral হোলেও চোলবে। এ কথাটা পরিস্কার কোরে না দিলে জমিদার প্রজাদের সামান্য কথা নিয়ে harass কোর্ত্তে পারে। প্রজারা ত চিরকাল harassed হোয়ে আসছে; তাদের সুবিধার জন্য এই কথাটা জুড়িয়ে দেওয়া উচিৎ।

Mr. SURENDRA NATH BISWAS: With reference to my amendment No. 41 although I admit that an agreement may be written or oral, yet in order to make the meaning quite clear, I wish to insert the words "written or oral" and I hope Sir Bijoy Prasad will accept my amendment.

With regard to 45, I have put in the words "the same" after the word "holds", in line 13, for better drafting.

Mr. SPEAKER: Are you sure it is an improvement on the present drafting?

Mr. SURENDRA NATH BISWAS: I think so.

With regard to my amendment No. 46, I wish to insert the word "landlord" after the word "superior" because in law books we have never found a status as superior in interest, so it must be superior landlord.

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Sir, as most of the members have introduced their amendments without speeches I also formally oppose the amendments.

The motion of Mr. Iswar Chandra Mal that in clause 2, in line 4, after the word "person" the words "and the Central or Provincial Government or a local authority" be inserted, was put and lost.

The motion of Babu Kshetra Nath Singha that in clause 2, in line 4, after the words "pay rent or" the words "but for a contract to the contrary" be inserted, was put and lost.

The motion of Mr. Rasik Lal Biswas that in clause 2, in line 6, after the word "agreement" the words "written or otherwise" be inserted, was then put and lost.

The motion of Mr. Surendra Nath Biswas that in clause 2, line 6, after the word "agreement" the words "written or oral" be inserted, was then put and lost.

The motion of Mr. Maqbul Hossain that in clause 2, lines 10-14, the words beginning with "but does not" and ending with "such person" be omitted, was then put and lost.

The motions of Mr. Surendra Nath Biswas that in clause 2, in line 13, after the word "holds" the words "the same" be inserted, and that in clause 2, in line 14, after the word "superior" the word "landlord" be inserted, were then put and lost.

The question that clause 2 stand part of the Bill was then put and agreed to.

Clause 3.

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Sir, may I suggest at this stage that the discussion of clause 3 be held over for to-day?

Mr. SPEAKER: Well, I do not mind.

I will, therefore, take up clause 4.

Clause 4.

Mr. SPEAKER: I find that amendments Nos. 86, 87, 88, 90, 91, 92, 93, 94, 95 and 96 are beyond the scope of the Bill; so they do not arise.

Mr. DHIRENDRA NATH DATTA: Why not, Sir?

Mr. SPEAKER: This Bill is for a temporary purpose only, and the proposals to make the Bill effective as if it were in existence in the years 1930, 1937 and 1938, etc., militate against the object of the Bill. I am quite prepared, however, to hear you, Mr. Datta, but my view so far is that those amendments are beyond the scope of the Bill.

Amendments Nos. 94 and 95 are out of order.

Mr. DHIRENDRA NATH DATTA: My amendments are not out of order. The reason is very clear. In the clause it is stated that if a non-agricultural tenant is ejected between the 30th day of January, 1940, and the date of the commencement of this Act, and if possession has been taken, the judgment-debtor will be entitled to the restoration of the possession. Government have admitted that after the communiqué which was published in the month of August, 1939, landlords have instituted many suits and if they have got a decree and possession has been taken in the meantime, the judgment-debtors will be entitled to the restoration of the possession.

Mr. SPEAKER: I have considered this point and I think from the Statement of Objects and Reasons that this is a Bill which has been brought up with a view to maintain the *status quo* pending the report of a committee. Now the committee has been appointed on a certain date and this Bill contemplates to maintain the *status quo* for the time being. In the original draft of the Bill the date fixed was 30th January, 1940. If that date was not in the original Bill, I would be justified to go back. But here the very purpose of the Bill is to put a check to certain things occurring after 30th January, 1940. So, I have to hold that your amendment is not in order.

Dr. NALINAKSHA SANYAL: Sir, the explanation that you have given takes away the credit of some of your own observations. You have said that when the committee was appointed——

Mr. SPEAKER: I have nothing to do with the committee. I say that in the original Bill the date has been mentioned. I have nothing to do with the committee's appointment.

Dr. NALINAKSHA SANYAL: Some members might take the view and very reasonably that from the very date of the appointment of the committee landlords might have taken recourse to law and instituted suits, and that is why if relief is to be given, it should be given from the date of the appointment of the committee.

Mr. SPEAKER: If the date was not there, then it would be all right. But as it is there, I am sorry I cannot agree with your view.

Mr. ASIMUDDIN AHMED: Sir, I beg to move that in clause 4, line 9, for the words "three months", the words "one year" be substituted.

Babu PREMHARI BARMA: Sir, I beg to move that in clause 4, in line 18, after the word "relates" the words "with an adequate

compensation in cases where houses or property on the said land, have been damaged or demolished by the decree-holder after taking possession of the lands" be inserted.

Mr. SYAMA PRASAD BARMAN: Sir, I beg to move that in clause 4, in line 18, after the word "relates" the words "and shall award to the applicant any cost that the court thinks reasonable" be inserted.

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Sir, I oppose these amendments.

The motion of Mr. Asimuddin Ahmed that in clause 4, line 9, for the words "three months" the words "one year" be substituted, was put and lost.

The motion of Babu Premhari Barma that in clause 4, in line 18, after the word "relates" the words "with an adequate compensation in cases where houses or property on the said land, have been damaged or demolished by the decree-holder after taking possession of the lands" be inserted, was then put and lost.

The motion of Mr. Syama Prasad Barman that in clause 4, in line 18, after the word "relates" the words "and shall award to the applicant any cost that the court thinks reasonable" be inserted, was then put and lost.

The question that clause 4 stand part of the Bill was then put and agreed to.

Clause 5.

Mr. ASIMUDDIN AHMED: Sir, I beg to move that in clause 5(*2*), lines 4-5, for the words "executing the decree for ejectment when such decree becomes executable" the words "filing a petition of execution of the decree for ejectment only to save limitation and when it is not possible for filing a suit *de novo* for ejectment" be substituted.

Mr. ADWAITA KUMAR MAJI: Sir, I beg to move that after clause 5(*2*), the following be added, namely:—

"(*3*) Every tenant who makes a payment on account of rent to his proprietor shall be entitled to obtain forthwith from the proprietor a written receipt for the amount paid and signed by the proprietor".

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Sir, I oppose these amendments.

The motion of Mr. Asimuddin Ahmed that in clause 5(2), lines 4-5, for the words "executing the decree for ejectment when such decree becomes executable" the words "filing a petition of execution of the decree for ejectment only to save limitation and when it is not possible for filing a suit *de novo* for ejectment" be substituted, was put and lost.

The motion of Mr. Adwaita Kumar Maji that after clause 5(2) the following be added, namely:—

"(3) Every tenant who makes a payment on account of rent to his proprietor shall be entitled to obtain forthwith from the proprietor a written receipt for the amount paid and signed by the proprietor"

was then put and lost.

The question that clause 5 stand part of the Bill was then put and agreed to.

Clause 6.

Mr. DHIRENDRA NATH DATTA: Sir, I beg to move that in clause 6, in line 2, after the word "proceeding" the words "to which" be inserted.

It is purely a verbal amendment.

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Sir, I accept it.

The motion of Mr. Dhirendra Nath Datta that in clause 6, in line 2, after the word "proceeding" the words "to which" be inserted, was then put and agreed to.

The question that clause 6 as amended stand part of the Bill was then put and agreed to.

Clause 7.

The question that clause 7 stand part of the Bill was then put and agreed to.

Clause 8.

Mr. SPEAKER: This (amendment Nos. 128-147) is a negative amendment and so it does not come in.

Dr. NALINAKSHA SANYAL: Sir, may I submit that on a negative motion one may speak.

Mr. SPEAKER: If any one wants to speak, he may do so on the main motion

SJ. NARENDRA NATH DAS GUPTA: Sir, I beg to move that to clause 8, the following proviso be added, namely:—

"Provided that the Central or Provincial Government or local authority ejects the tenant only to secure the land for specific governmental or public purposes."

Babu KHAGENDRA NATH DAS GUPTA: Sir, I beg to move that to clause 8, the following proviso be added, namely:—

"Provided that tenants holding non-agricultural lands under Government estates or khas mahal shall not be exempted from the operation of this Act".

SJ. NARENDRA NATH DAS GUPTA: সভাপতি মহাশয়, আমি এই যে সংশোধনী প্রস্তাব এনেছি তার প্রধান হেতু হোচ্ছে এই যে যারা খাস গভর্ণমেণ্টের প্রজা তাদের যে মানুষ বোলে কোন সংজ্ঞা আছে তা স্বীকার করা হয় না। জমিদারদের কাছ থেকে আমরা certificate power কেড়ে নিয়েছি কিন্তু সঙ্গে সঙ্গে যে খাস মহলের প্রজারা certificate power এর দ্বারা উৎপীড়িত হোচ্ছে সে কথাটা আদৌ লক্ষ্যে আসছে না। ঠিক তেমিনি ভাবে যখন আমরা জমিদারের হাত থেকে non-agricultural tenant কে রক্ষা করবার ব্যবস্থা কোরছি ঠিক সেই সময়ে খাসমহলের non-agricultural tenant দের সম্বন্ধে যে কিছু ভাববার বিষয় আছে সেটাও একেবারে ভুলে যাচ্ছি। আমি নিজে জানি বিশেষ কোরে যেখানে বড় বড় বন্দর আছে সেখানকার খাসমহলে প্রজাদের অবস্থা কি রকম শোচনীয়।

খাসমহলের colonising officer বা Manager একাধারে জমিদার, মহাজন, পুলিশ এবং হাকিম। যেখানে এইরূপ চারজনের ক্ষমতা একজনের হাতে একত্রীভূত হয় সেখানে প্রজাদের অবস্থা কি প্রকার বিপদসঙ্কুল তা বুঝতে আমাদের বিন্দুমাত্র দেরী লাগে না।

বরিশাল জেলায় খাসমহল খুব বড়। সেই খাসমহলে আমি যখন যাই সেখানকার non-agricultural tenant রা আমাকে থাকবার যায়গা দিতে ভরসা করে না। আমি সেখানকার M. L. A. তথাকার প্রজাদের সুখ দুঃখ দেখবার জন্য সেখানে যেতে হয়। তারা যদি আমাকে থাকবার যায়গা দেয় তাহোলে পরের দিন colonising officer এর নিকট হইতে notice আসবে পনের দিনের ভিতরে উৎখাত হয়ে গেছে। এমনি দুরবস্থায় তারা আছে। তাদের সম্বন্ধে যদি অন্যান্য প্রজাদের মত ব্যবস্থা না করা হয় তাহোলে Assembly র পক্ষ থেকে দায়িত্বজ্ঞানহীনতার ও হৃদয়হীনতার পরিচয় দেওয়া হবে। প্রজারা যখন তাদের দুঃখ-দুর্দ্দশা লাঘবের জন্য দাবী কোরছে তখন গভর্ণমেণ্টের জন-মত মেনে নিয়ে তাদের জন্য কিছু কোরে দেন। কিন্তু খাসমহলের প্রজাদের কথাটা ভুলে যাওয়া হোচ্ছে—এটা গভর্ণমেণ্টের পক্ষে অস্বাভাবিক না হোলেও মনুষ্যত্বের দিক দিয়ে একান্ত অস্বাভাবিক। আশা করি গভর্ণমেণ্ট তাদের স্বার্থ কিছুটা ছেড়ে দেবেন এবং খাসমহলের প্রজাদের এই বিলের সুবিধা লাভ কোর্ত্তে দেবেন।

Mr. SURENDRA MOHAN MAITRA: Sir, I do not find any reason for excluding non-agricultural tenancy held under Government or local bodies. I know, no amount of reasoning will convince my friend, Sir Bijoy Prasad Singh Roy. I was really very sorry that a certain remark came from him regarding the Maharaja of Mymensingh

which did not come with much grace because, being a representative of and owing his seat to the vote of the landlords in this Chamber (a voice from the Coalition Benches "No longer"), he has, in his own words, I should say, cut the nose of the landlords to spite his own face. I know from my dealings with him that there is a continual fight between his head and heart and when the interests of the landlords are at stake, unfortunately, it is found that his head prevails and his heart is defeated. But in this case, I find that, perhaps because he is the Revenue Minister, his heart has prevailed and his head has failed. Reason, I know, may be defeated, but his obstinacy or his zeal for the landlords is not conquered——

Mr. SPEAKER: Why not quote the whole phrase of Burke?

Mr. SURENDRA MOHAN MAITRA: Perhaps it is not known to him that in State properties, the oppression of landlords, about which we hear so much and which, I admit, is a really genuine thing, is not less in khas mahal and Government properties. There also there is so much oppression and it is more oppressive because it is a State tyranny. There also the khas mahal authorities are very often misguided by so many considerations, apart from the question of Government interests—even political considerations and personal ill-feelings influence them. We know tenants are subjected to harassment. These may be news to Sir Bijoy Prasad, but these are facts. Therefore, I do not understand why he makes a difference between private lands and khas mahal properties. As regards local bodies, I know, if he cares to deliver a lecture, he will say that he will not interfere with the growth and development of municipal areas. This bogey he has been raising for some time. But I hope that although he is now a Minister, he has not forgotten his days at the bar. There is a provision for compulsory acquisition by the local bodies; if development is necessary of any area, the local bodies can take advantage of compulsory acquisition which will benefit the tenant in occupation because he will get some compensation. But if the local bodies are given free hand in the matter of ejectment by notice to quit, the poor tenants will get no remedy and no compensation even if they are deprived of their houses for commercial or industrial purposes. I, therefore, think and I appeal with all the emphasis that I can command that in this matter, Sir Bijoy Prasad Singh Roy should relent and accept my amendment. Let not Bengal cry with an agonised heart, "These are thy Gods, O Israel!"

Mr. NISHITHA NATH KUNDU: Sir, we gave notice of amendments to omit clause 8. We all know what this Bill is for. It is a Bill to protect the homes of the non-agricultural tenants. I do not find any

reason to make a distinction between the hearths and homes of non-agriculturists under the Provincial Government or local bodies and that of the tenants under private landlords. We all know, Sir, that the hearths and homes are even more sacred than our temples, mosques and churches. So, what is the object of incorporating this clause? Are we going to give Government a free hand to eject tenants from their homes and hearths? Will it make any difference if a tenant under a private landlord be ejected and a tenant under the Government is ejected? The difficulties, the agonies, the pangs and the inconvenience are everywhere the same. So, we do not find any reason to add a clause like this. We do not expect any reply from the Hon'ble the Revenue Minister as he was not able to answer us when we moved amendments to clause (*1*). We do not find any place of logic or any reason here. It is the arbitrary will of the Ministers and the Coalition Party that prevails. It is with great regret I have to say that without following any principle whatsoever they have incorporated this clause (*8*). Sir, every one of us knows that if Government require any land anywhere in the world there is special law of land acquisition. So when there is special law of land acquisition why the privileges that are being given to other tenants will be withheld from the tenants under Government and local bodies? We appeal to the House to consider this and to see if we can give such relief to the tenants who are also our relatives, our friends, our neighbours as the tenants under the private zemindars are.

Mr. DHIRENDRA NATH DATTA: Mr. Speaker, Sir, enough has been said that there is no need for distinction in favour of one class of landlords. But the reason seems to be clear. If we discuss the Money-lenders Act we find that distinction has been made in favour of the Scheduled Banks because they belong to the richer class and the richer the landlords the greater is the favour shown to such persons. But in the amendment that is sought to be moved it seems that we are in better company. Mr. Jatindra Nath Basu has also tabled an amendment like that that there should not be any distinction in favour of the Central Government or the Provincial Government or the municipality, or the district board or the local board. I have before me the terms of a lease for use in the khas mahal in the district of Jalpaiguri and just now Dr. Nalinaksha Sanyal has told me that even in the cantonment area of Berhampore the terms of lease, if read, will show that if any favour is to be shown, if any tenant is to be protected, the tenants under the Central and Provincial Governments should be protected first. We find that on the expiry of the lease with respect to lands on which shops are located ten times the rent is demanded in Jalpaiguri and in respect of lands on which homesteads are situated three times the rent is demanded. We find, Sir, that one of the terms of the lease is this:—"You shall enjoy the fruit of all trees of the holdings, but shall not cut down or in any way injure

such trees without the permission of the Collector." I beg to draw the attention of the members to the words "injure the trees without the permission of the Collector." The implication is that you shall not be able to cut down the branch of a tree because it amounts to injuring the tree. Mark the words "not any tree"; it may be an *Agacha* tree, not a fruit-bearing tree. You shall not be able to cut down any tree whatsoever or take out the leaves even. This is one of the terms of the lease so far as the khas mahal lands are concerned. So my submission is,—although I know, Sir, our submissions go in vain, it is our duty to argue though we know our arguments are of no avail,—that so far as the tenants under the Provincial and Central Governments are concerned they should also be protected.

With these few words, Sir, I beg to oppose clause 8 of the Bill.

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Sir, I sympathise with my friend, Mr. Surendra Mohan Maitra, for his extreme pessimism. He has no confidence in landlords because probably according to him they are the pampered vampires. He has no confidence in the Central Government, he has no confidence in the local Government, he has no confidence in local bodies though constituted by the representatives of the people. But does it lie on the lips of any member of this House functioning under a democratic form of Government to say that Government are oppressive landlords. Sir, if the Government of the old days were oppressive, certainly the Government of the present day are not so. Even the worst critics of Government cannot charge them with anti-tenant bias. I can assure my honourable friend on behalf of Government that the tenants under Government will have the fullest protection. Sir, the justification of my making a distinction between Government and private landlords and local bodies and private landlords is this, that local bodies or Government can never proceed against tenants just to get rid of them unless there is a necessity on public grounds. They will never proceed to eject the tenants but private landlords may do so for personal gain. Sir, that is the main justification for making the distinction. Sir, my friend, Mr. Surendra Mohan Maitra, who, I believe, is a Socialist, and a believer in nationalisation of land and who wants State purchase of zemindaries should have better confidence in Government. So it is time that he should revise his opinion about Government and agree to accept the Government Bill.

The motion of Sj. Narendra Nath Das Gupta that to clause 8 the following proviso be added, namely:—

> "Provided that the Central or Provincial Government or local authority ejects the tenant only to secure the land for specific governmental or public purposes"

was then put and lost.

The motion of Babu Khagendra Nath Das Gupta that to clause 8 the following proviso be added, namely:—

"Provided that tenants holding non-agricultural lands under Government Estates or *Khas Mahal* shall not be exempted from the operation of this Act"

was then put and a division taken, with the following result:—

AYES—38.

Abdul Wahed, Maulvi.
Abul Fazl, Mr. Md.
Asimuddin Ahmed, Mr. M.
Banerji, Mr. P.
Banerjee, Dr. Suresh Chandra.
Barma, Babu Premhari.
Barman, Babu Shyama Prosad.
Barman, Babu Upendra Nath.
Basu, Mr. Santosh Kumar.
Bhawmik, Dr. Gobinda Chandra.
Biswas, Mr. Rasik Lal.
Biswas, Mr. Surendra Nath.
Das Gupta, Babu Khagendra Nath.
Das Gupta, Srijut Narendra Nath.
Datta, Mr. Dhirendra Nath.
Deiui, Mr. Harendra Nath.
Dutta Mazumdar, Mr. Niharendu.
Emdadul Haque, Kazi.
Giasuddin Ahmed, Mr.
Hasan Ali Chowdhury, Mr. Syed.
Kumar, Mr. Ajpi Chandra.
Kundu, Mr. Nishitha Nath.
Maiti, Mr. Nikunja Behari.
Maitra, Mr. Surendra Mohan.
Maji, Mr. Adwaita Kumar.
Majumdar, Mrs. Hemaprova.
Mai, Mr. Iswar Chandra.
Mandal, Mr. Amrita Lal.
Maqbul Hosain, Mr.
Mullick, Srijut Ashutosh.
Ramizuddin Ahmed, Mr.
Ray Choudhury, Mr. Birendra Kishore.
Roy, Mr. Charu Chandra.
Roy, Mr. Manmatha Nath.
Sanyal, Dr. Nalinaksha.
Sanyal, Mr. Sasanka Sekhar.
Sen, Mr. Atul Chandra.
Shamsuddin Ahmed, Mr. M.

NOES—83.

Abdul Aziz, Maulana Md.
Abdul Hafiz, Mr. Mirza.
Abdul Hafiz, Mr. Mia.
Abdul Hakim, Maulvi.
Abdul Hakim Vikrampuri, Maulvi Md.
Abdul Hamid, Mr. A. M.
Abdul Karim, Mr.
Abdul Majid, Mr. Syed.
Abdulla-al Mahmood, Mr.
Abdur Rahman Siddiqi, Mr.
Abdur Rashid Mahmood, Mr.
Abdur Rasheed, Maulvi Md.
Abdur Rauf, Khan Sahib Maulvi S.
Abdur Rauf, Khan Bahadur Shah.
Abdus Shaheed, Maulvi Md.
Abul Hosain Ahmed, Mr.
Abul Quasem, Maulvi.
Ahmed Ali Mridha, Maulvi.
Ahmed Hosain, Mr.
Ashrafali, Mr. M.
Aulad Hossain Khan, Maulvi.
Azhar Ali, Maulvi.
Badruddoja, Mr. Syed.
Basu, Mr. Jatindra Nath.
Birkmyre, Sir Henry, Bart.
Brown, Mr. A. C.
Das, Mr. Anukul Chandra.
Dass, Babu Debendra Nath.
Edgar, Mr. Upendranath.
Farhad Raza Chowdhury, Mr. M.
Fazlul Huq, the Hon'ble Mr. A. K.
Fazlul Quadir, Khan Bahadur Maulvi.
Fazlur Rahman, Mr. (Dacca).
Griffiths, Mr. C.
Habibullah, the Hon'ble Nawab Bahadur K., of Dacca.
Hafizuddin Choudhuri, Maulvi.
Hamiduddin Ahmad, Khan Sahib.
Hamilton, Mr. K. A.
Hatemally Jamadar, Khan Sahib Maulvi.
Hawkings, Mr. R. J.
Haywood, Mr. Rogers.
Hendry, Mr. David.
Hirtzel, Mr. M. A. F.
Jasimuddin Ahmed, Mr.
McGregor, Mr. G. C.
Mafizuddin Ahmed, Maulvi.
Mandal, Mr. Banku Behari.
Mandal, Mr. Jagat Chandra.
Mariadin, Mr. F. J.
Miles, Mr. C. W.
Miller, Mr. G.
Moslem Ali Mollah, Maulvi.
Muhammad Afzal, Khan Sahib Maulvi Syed.
Muhammad Ibrahim, Maulvi.
Muhammad Israil, Maulvi.
Mullick, the Hon'ble Mr. Mukunda Behary.
Mustagawsal Haque, Mr. Syed.
Nasarullah, Nawabzada K.
Nazimuddin, the Hon'ble Khwaja Sir, K.C.I.E.
Norton, Mr. H. R.
Raikut, the Hon'ble Mr. Prasanna Deb.
Roy, the Hon'ble Sir Bijoy Prasad Singh.
Roy, Mr. Dhananjoy.

Roy, Mr. Patiram.
Sahabe Alam, Mr. Syed.
Saderuddin Ahmed, Mr.
Sadruddin Ahmed, Haji.
Salim, Mr. S. A.
Sarkar, Babu Madhusudan.
Serajul Islam, Mr.
Shahabuddin, Mr. Khwaja, C.B.E.
Shamsuddin Ahmed Khondkar, Mr.
Sirdar, Babu Litta Nanda.
Smith, Mr. H. Prabant.
Steven, Mr. J. W. R.
Suhrawardy, the Hon'ble Mr. H. S.
Stark, Mr. A. F.
Tamizuddin Khan, the Hon'ble Mr.
Talai Ahmed Chowdhury, Maulvi Haji.
Walker, Mr. W. A. M.
Whitehead, Mr. R. B.
Wordsworth, Mr. W. C.
Walker, Mr. J. R.

The Ayes being 38, and the Noes being 83, the motion was lost.

The motion that clause 8 stand part of the Bill was then put and agreed to.

Mr. SPEAKER: Now, I may say that to-morrow there remains only one clause to be taken up. After that we shall take up the Bengal Agricultural Debtors (Amendment) Bill.

Then, there are two Bills, viz., the Inland Steam-Vessels (Bengal Amendment) Bill and the Bengal Workmen's Protection (Amendment) Bill, which have come from the Upper House and to which no amendments have been received.

Mr. Khwaja SHAHABUDDIN: Sir, there are two other Bills also, namely, the Official Trustees (Bengal Amendment) Bill and the Administrator-General's (Bengal Amendment) Bill to which also there are no amendments. We may also take up these Bills to-morrow.

Mr. SPEAKER: We may finish these Bills also if there are no amendments.

Adjournment.

It being 10-50 p.m.—

The House was adjourned till 4-45 p.m. on Tuesday, the 12th March, 1940, at the Assembly House, Calcutta.

Proceedings of the Bengal Legislative Assembly assembled under the provisions of the Government of India Act, 1935.

THE ASSEMBLY met in the Assembly House, Calcutta, on Tuesday, the 12th March, 1940, at 4-45 p.m.

Present:

Mr. Speaker (the Hon'ble Khan Bahadur M. AZIZUL HAQUE, C.I.E.) in the Chair, 10 Hon'ble Ministers and 220 members.

UNSTARRED QUESTIONS

(answers to which were laid on the table)

Changing the designation of Deputy Commissioner of Jalpaiguri into Magistrate and Collector.

101. Mr. KHAGENDRA NATH DAS GUPTA: (*a*) Is the Hon'ble Minister in charge of the Home (Political) Department aware—

(*i*) that the Scheduled Districts Act, 1874, is inoperative in the district of Jalpaiguri;

(*ii*) that the district is not even a partially excluded area under the Government of India Act, 1935; but

(*iii*) that the District Officer is still called Deputy Commissioner?

(*b*) If the answer to (*a*) is in the affirmative, is the Hon'ble Minister considering the desirability of taking steps for changing the designation of the District Officer of the Jalpaiguri district from Deputy Commissioner to Magistrate and Collector?

MINISTER in charge of the HOME DEPARTMENT (the Hon'ble Khwaja Sir Nazimuddin): (*a*) Yes.

(*b*) No.

Mr. ATUL CHANDRA SEN: Will the Hon'ble Minister please state what is the idea in retaining the old name of Deputy Commissioner when the Scheduled Districts Act, 1874, has ceased to be operative in that district?

The Hon'ble Khwaja Sir NAZIMUDDIN: There is no disadvantage either.

Mr. ATUL CHANDRA SEN: There may not be any disadvantage but what is the advantage in retaining the old name?

The Hon'ble Khwaja Sir NAZIMUDDIN: Because the change will cause a lot of inconvenience.

Mr. ATUL CHANDRA SEN: But why not make the name uniform?

The Hon'ble Khwaja Sir NAZIMUDDIN: Sir, I have nothing further to add.

Dr. SURESH CHANDRA BANERJEE: Does it make any difference in the administration if Deputy Commissioner is changed into District Magistrate?

The Hon'ble Khwaja Sir NAZIMUDDIN: But at the same time it causes no disadvantage to keep on the old name.

Dr. SURESH CHANDRA BANERJEE: Sir, why should the district of Jalpaiguri be selected out to have a Deputy Commissioner as against other districts? What is the charm in the name?

The Hon'ble Khwaja Sir NAZIMUDDIN: Historical antecedents, as my colleague the Finance Minister just suggests.

Representation and appointment of Scheduled Castes people in Debt Settlement Boards in Dacca.

102. Mr. DHANANJOY ROY: (*a*) Will the Hon'ble Minister in charge of the Co-operative Credit and Rural Indebtedness Department be pleased to state—

(*i*) the total number of Debt Settlement Boards including Special Boards in the Dacca district; and

(*ii*) in how many of them Scheduled Caste representatives, clerks and peons have been appointed?

(*b*) Has any circular been issued by the department to the effect that recruitment should be made according to communal ratio?

(*c*) If the answer to (*b*) is in the affirmative, will the Hon'ble Minister be pleased to state whether it is observed by the appointing authorities?

(*d*) If not, why not?

MINISTER in charge of the CO-OPERATIVE CREDIT and RURAL INDEBTEDNESS DEPARTMENT (the Hon'ble Mr. Mukunda Behary Mullick): (*a*) (*i*) 179 (including 12 Special Boards).

(*ii*) In 35 of them.

(*b*) In view of the general order of Government regarding communal ratios no special circular was necessary from this department.

(*c*) The general order is observed, and Scheduled Caste candidates are appointed where suitable ones are available.

(*d*) Does not arise.

Mr. ATUL KRISHNA GHOSE: Will the Hon'ble Minister please enlighten us with reference to answer (*c*), what is the total number of appointments and the number of appointments given to the scheduled caste candidates?

The Hon'ble Mr. MUKUNDA BEHARY MULLICK: If all these details are wanted then I must ask for notice.

DEMAND FOR GRANT.

40—Agriculture.

The Hon'ble Mr. TAMIZUDDIN KHAN: Sir, on the recommendation of His Excellency the Governor, I beg to move that a sum of Rs. 16,68,000 be granted for expenditure under the head "40—Agriculture".

Sir, the Agriculture Department is often blamed for not having any clear-cut policy or concerted programme. It is generally those who do

not know anything about the working of the department who indulge in such criticisms. I can state outright that the aim and policy of the department is mainly threefold:—

(1) increase of the yield of crops now grown by our cultivators,

(2) introduction of new and more remunerative crops, and

(3) giving the cultivators the due and adequate price for their products.

All the activities of the department are directed to these objects and to achieve the same the department has prepared a programme of a comprehensive character and is doing its best to follow that programme. I would not tire the patience of the House by any repetition of the programme that the department has been pursuing, but I shall only state briefly the progress made in implementing that programme and the action taken for the good of the agriculturists of this province and also give a rough idea as to what the Budget for 1940-41 stands for. As regards Agricultural Education, buildings for the Dacca Agricultural Institute are now almost complete so that the Institute is expected to be started within a very short time. It has since been decided to connect the Institute with the Dacca University so as to enable a degree in Agriculture to be awarded to the students on passing out of the Institute instead of a diploma of the Institute as was formerly intended. With this end in view the Dacca University has already started a Faculty of Agriculture under which the students who have passed the I.Sc. examination will undergo a two years' special course in sciences basic to Agriculture on completion of which the University will give an ordinary B.Sc. degree to the students. They will next go through two years' training in the theory and practice of Agriculture in the Agricultural Institute on completion of which they will be given a degree in Agriculture. Till the Faculty of Agriculture has produced its new graduates the Agricultural Institute will admit outsiders possessing the B.Sc. degree with Botany and Chemistry as their subjects, and these students will on completion of their two years' course be given the diploma of the Institute. This decision has been more or less influenced by the fact that a University degree generally carries more weight in this country. The budget for the year 1940-41 contains provisions for completion of the buildings for the Institute and for the appointment of staff and purchase of furniture and equipment. The budget also contains provisions for the additional buildings, equipments and staff required for the provincialisation of the Bhutnath Pal Agricultural School at Chinsura into a secondary agricultural school on the model of the existing Dacca Agricultural School, but pending the construction of additional buildings and the

appointment of the full additional staff required the Institute has already been started with a small additional staff for the time being. As the House is aware we provided for 3 foreign scholarships for higher training in Agriculture and Animal Husbandry in Great Britain in the current financial year. The scholars were selected and even their passages were booked, but owing to the sudden change in the international situation caused by the war these scholars could not sail. Subject to the vote of the Assembly the same provision has been repeated in the budget for 1940-41 and correspondence is being carried on with the High Commissioner for India regarding the arrangements for the admission of the students next year if the international situation so permits.

Then, Sir, I would like to refer to the demonstration programme of Government. The House knows very well that so far as this question is concerned we have not yet been able to do all that we liked. The results of the researches carried in the exprimental central stations at Dacca must be carried to the home of the cultivators if full benefit is to be achieved from these researches, but unfortunately we have not yet been able to make an adequate provision for that for want of trained demonstrators. Ten additional demonstrators have been appointed this year and provision for 10 more has been made in the budget for 1940-41. Demonstration on the cultivators' own land is an important feature of the programme. Improved seeds are supplied or recommended by the department and the cultivation is carried on according to improved methods. Each demonstrator is placed in charge of three such centres wherever possible. We have established 22 more union board farms this year in addition to the 96 such farms that existed and the budget contains provisions for their continuance as well as the establishment of 10 new union board farms during the next year. Meanwhile, Sir, we have had a windfall. In view of the fact that the special agricultural staff for jute areas appointed by the Indian Central Jute Committee are not fully employed all the year round on jute work the committee has generously offered their services to be utilised on our general demonstration work. This will enable us to establish 63 additional union board farms and 189 additional demonstration centres at a very small expenditure on seeds and equipments, etc., provision for which has been included in the budget for the next year. I should like to state here, Sir, that the existing number of demonstration centres in the province is 285.

Our difficulty in the establishment of union board farms and demonstration centres in larger numbers has mainly been the want of trained demonstrators. The offer of the Indian Central Jute Committee to utilise their jute staff has considerably improved the position. The Dacca Secondary Agricultural School has so long been the only

institution for producing men of the demonstrator class. The establishment of a secondary school at Chinsura by the provincialization of the Bhutnath Paul Agricultural School will henceforth put on the field an additional number of men for demonstration work every year.

As regards research and experiment we have already considerably strengthened the research staff under the two Economic Botanists. A centre for experiment on flax cultivation was started this year at Gaibandha and as a single centre was found insufficient for the experiment, I have included provision for two additional centres in the budget for 1940-41. The staff employed at these centres will also carry on general demonstration work. A scheme for experiment on the cultivation of long staple cotton was started in the year 1938-39 and continued up to date in collaboration with the Bengal Mill-owners' Association who have been bearing half the cost. The budget for 1940-41 contains important schemes of research such as the establishment of a Physical Section for more efficient work on soil survey from two distinct points of view, viz., (1) classification of soils from the organic standpoint and (2) survey from the irrigation point of view. Sir, one of the grounds on which my friend, Mr. Surendra Nath Biswas, attacked the budget for 1939-40 was that it contained no provision for soil survey. Here is a scheme for soil survey providing for undertaking a systematic classification of soils from the Physico-chemical standpoint with a view to improve soil management and crop production and for an extensive study of soils on the genetic basis with a view to examine the probable behaviour of soils under irrigation. This, I hope, will commend itself to the House. The budget also includes provision for experiment for the multiplication of Dacca No. 1 variety of long staple cotton. The department has formulated a comprehensive scheme for fruit culture. The work that is at present done at the Horticultural Station at Krishnagar under the Imperial Council of Agricultural Research scheme has been found to be inadequate and it is proposed to expand the centre into an efficient experimental station on a much larger scale. I intended to make a start next year, but the sudden deterioration of our financial position referred to by my colleague, the Hon'ble Finance Minister, in his budget statement, has actuated the postponement of the consideration of this ambitious scheme. Meanwhile the work done under the scheme financed by the Imperial Council of Agricultural Research will be continued on the basis of half the cost being met from provincial revenues and necessary provision for this has been included in the next year's budget.

Sir, the necessity of a District Agricultural Farm in every district need hardly be emphasised. Some of my friends seem to entertain the view that these district farms serve no useful purpose and should be abolished. I must confess I have not been able to agree to this

view. The district farm is an important centre of both experiment and seed supply. Demonstration is only a small part of its purpose. The district farm is an important and necessary link between the Central Research and Experimental station at Dacca and the demonstration centres in the interior for the purpose of carrying the benefits of the experiment and research to the cultivators. It is impossible for the Central Farm at Dacca to supply the necessary information and seeds, etc., direct to the demonstration centres and union board farms in the interior and supervise their working. If the District Farms have defects I shall be thankful to my friends for practical suggestions for their improvement but I feel that if the district farms are abolished the entire organisation for demonstration and seed distribution in the interior will collapse.

We have so far followed the programme adopted for the development of the existing live-stock section of the department into a full-fledged department of Animal Husbandry except that the attempt to appoint the Assistant Live-stock Expert in India has proved abortive and the post has now been advertised simultaneously in India and in the United Kingdom. We have made permanent the five Live-stock Officers and 10 Assistant Live-stock Officers appointed under the scheme financed out of the Government of India's grant for rural uplift and they are now being paid from provincial revenues. We have also appointed 40 stockmen so far—20 in 1938-39 and 20 in 1939-40 for supervision of the stud-bulls and castration of scrub bulls. The cattle improvement scheme stands extended to 24 districts now. But the dearth of suitably trained hands has proved a stumbling block in the further expansion of the live-stock section. In fact there is no possible means of getting suitable men for appointment to additional posts of Live-stock and Assistant Live-stock Officers till the Animal Husbandry Section of the Bengal Agricultural Institute at Dacca has been in existence for a number of years. It has therefore been necessary to cry a halt and the budget for 1940-41 therefore contains no provision for additional technical staff for the live-stock section. The budget includes provision for providing the Live-stock and Assisant Live-stock Officers possessing veterinary qualifications with first aid outfit boxes with sufficient medicine and instruments so as to enable them to treat the Government bulls under their supervision for ordinary ailments and injuries. It also contains provision for 20 Burdizzo castrators and tattooing sets for the use of the stockmen.

Sir, it is needless to say that if the agriculturists of the province are to thrive it is necessary to make adequate arrangement for the marketing of their produce. The Marketing Section appointed under the Imperial Council of Agricultural Research has so far limited itself to survey work and it did very little that gave any tangible benefit to the cultivators. In order to supplement the work done

under the Imperial Council of Agricultural Research scheme three egg-grading stations were established in 1938-39 and the budget contains provision for their continuance during 1940-41. The budget also contains provision for the continuance at provincial expense of the hide grading stations at Tangra and Garden Reach established under the Imperial Council of Agricultural Research scheme. A comprehensive scheme for a separate Marketing Department has been formulated but the scheme could not be included in the budget for 1940-41 on account of the financial stringency already referred to. Meanwhile the department have been adopting all possible means for securing the best value of his crops to the cultivator. In order to eliminate the factors that reduce the return to the cultivator for his produce I have introduced the Agricultural Produce Markets Bill which provides for the establishment of regulated markets for agricultural produce, licensing of private markets and the abolition of all illegal exactions and deductions.

Sir, I think I have now given a rough idea of what we have been doing and what we propose to do during the year, the budget for which is now before the House. I do not claim that all that we are doing or propose to do is perfect and shall be thankful to my friends for any practical suggestions that they have to give. But I hope I have been able to convince the House that we are doing our very best according to our light and that the House will accept the demand.

Mr. SASANKA SEKHAR SANYAL: Sir, may I speak on the main motion?

Mr. SPEAKER: I do not know whether Mr. J. C. Gupta will stick to his original desire that the debate should be confined to the cut motions. I feel that it would be very inconvenient to all sides if the main demand is not open to discussion on any point on which a member wants to speak. The general principle is discussion of grievances before supply, and the only way in which the grievance can be discussed is by a specific measure or by criticising the main demand. That is the practice that we have been following. Whatever might be the view of others, I think we shall stick to that.

Maulvi AHMED ALI MRIDHA: Sir, if we confine ourselves to the points that are raised by the Opposition then we will be put under a great disadvantage, for in that case we cannot move our own motions. We must also make our own points and grievances clear.

Mr. JOGESH CHANDRA GUPTA: Cut motions are tabled in order to enable people to raise general criticism——

Mr. SPEAKER: Not general criticism, but grievances. There is a difference between general discussion of the budget demand and discussion of grievances. The budget has two stages—one for raising the question of policy, that is general discussion, and secondly the raising of grievances.

Mr. JOGESH CHANDRA GUPTA: Grievances are discussed over cut motions. Anybody can either support or oppose a cut motion and in connection with that ventilate his grievances if it arises out of the cut motion.

Mr. SPEAKER: On the main demand. I want to make it clear, because so far as this House is concerned we have been following this practice, namely, that a particular cut motion is to be confined to the discussion of the grievances raised in that particular motion. But every cut motion is an amendment to the main motion. Therefore a member can speak on the main motion and therein can discuss the grievances also. Unless that is done, it would be shutting out a very valued right of a very large number of members.

Dr. NALINAKSHA SANYAL: Sir, may I submit that the rules are very clear on this point. The Government of India Act provides for acceptance of the demand as a whole—assent to the demand subject to a reduction or refusal. So there are three possible ways of approach to a demand. Now, there may be some members who want reduction of a certain small amount and they must be permitted to speak on that particular point. There may be others who would be prepared to speak on the whole demand and there may be a third group who may speak for refusing the whole demand——

Mr. SPEAKER: Subject to certain amelioration of their grievances.

Dr. NALINAKSHA SANYAL: Therein lies the difference. If any member wants to raise any grievance he has got to go through the process of a token cut—a rule that has been laid down—because any grievance has got to be focussed on a particular motion. If there is no motion, on what will he be speaking? If any friend wants to speak on the general acceptance of the whole demand, we shall not certainly call him out of order, from our point of view. But if he wants to speak on any particular grievance and does not take recourse to any cut motion, or a motion for wholesale refusal, then we must object. So there are three possibilities—a member must refuse a demand as a whole, or move or cut motion or accept the whole demand.

Mr. SPEAKER: That might be in the Government of India Act. I am explaining to you that it is a well-known parliamentary convention that before the budget is passed, grievances of all kinds are discussed.

Dr. NALINAKSHA SANYAL: Through proper motions.

Mr. SPEAKER: Yes, through a cut motion or on the main demand itself. If you go through the proceedings of the Central Legislature, you will find that merely by moving a cut motion for Rs. 100, they raise the entire issue of the main demand. Take for instance the case of "Agriculture". There is one motion as regards the growing of food crops by cultivators. I am putting forward a more practical point of view. Supposing we have got an hour or two hours and within these two hours, if the debate is to be confined to the growing of food crops only, then many grievances which every section of the House may have got cannot be discussed. At the same time, it would not be fair at this stage to shut out discussion of grievances of a particular member if he wants to do so. How can he do so? It must be related either to the cut motion or to the main demand subject to this that he must show how it is relevant to the Department of Agriculture and how the remedy is possible by the department.

Dr. NALINAKSHA SANYAL: Sir, I do not presume to have the knowledge to contradict you about the procedure in the Central Legislature. But so far as I remember, they do not insist upon a cut motion to be so specific as you require us here to do on specific grievances. There the procedure is that general motion is moved that the demand be reduced by Rs. 100 and thereby the whole range of the demand is thrown open to discussion.

Mr. SPEAKER: I shall consider the point from next year whether we shall have our cut motions following that line.

Dr. NALINAKSHA SANYAL: The Hon'ble Minister may not then be ready or prepared for a particular line of action.

Mr. SPEAKER: I think, he ought to be prepared for it.

Mr. UPENDRA NATH BARMAN: Sir, I beg to move that the demand of Rs. 16,68,000 under the head "40—Agriculture" be reduced by Rs. 100.

Sir, first of all, I shall deal with the problem of pasture land in the Province of Bengal. In the first budget under the Provincial

Autonomy in the year 1937, when the erstwhile Finance Minister, now Mr. Nalini Ranjan Sarker presented his budget, he certainly took into his view and certainly put before the Cabinet, the abject condition of the cultivators. In that connection, he opined that we must not forget the man behind the plough.

But, Sir, I submit that from the very beginning the Cabinet has forgotten one aspect of that subject. When the Cabinet considered about the man behind the plough, it forgot the bullock—another dumb creature inhabiting the Province of Bengal which draws the plough. When we want the amelioration of the condition of the masses of Bengal which form 80 per cent. of the population of Bengal, we certainly mean the amelioration of the condition of the agriculturists and the main factor in bettering the condition of these agriculturists lies certainly in their economic and physical uplift.

Now, Sir, it is an admitted fact that the whole economic structure and condition of these agriculturists depend upon the plough and it is bullock—the agricultural wealth of Bengal—that helps it in that job My submission is that unless we can improve the cattle wealth of Bengal, it would be a hopeless endeavour to ameliorate the condition of the agriculturists, I mean, the masses. With the growth of extensive and intensive cultivation, pasture land in Bengal is going to be a thing of the past. But I must confess, Sir, that I am not conversant with the particular condition of other parts of Bengal and I shall mainly confine my remarks to my own district and specially the khas mahal lands of which I claim particular knowledge.

Now, Sir, one fact we must remember that our present Viceroy, Lord Linlithgow, just after he set his foot on Indian soil, looked at the matter in its true perspective and is trying with genuine endeavour to ameliorate the condition of cattle in the rural areas of India by supplying stud bulls. It is a matter of great regret that our popular Ministers, in their attempt to ameliorate the condition of the agriculturists have forgotten about this main factor. When we consult and read between the lines of the budget, we are wholly disappointed.

Of course in the whole budget there are only two heads, viz., Agriculture and Veterinary, which directly concern the cattle wealth of Bengal. So far as Veterinary is concerned it is only a curative or medical process. When we consult the Agricultural Budget we find a good lump sum of Rs. 17,51,000 has been provided for. But when we analyse the sub-heads what do we find? We find that almost the whole of this Rs. 17,51,000 are spent under heads, "Direction," "Superintendence," "Supervision," "Experiment," "Demonstration" and other charges. There is one item to which the Hon'ble Minister has just now referred—Agricultural Education—for which Rs. 1,60,000 has been provided for, but this item also does not touch my problem, i.e., the problem of cattle wealth of Bengal.

There is one head, viz., improvement of cattle and fodder crop, but I do not find any figure against that item. I do not know whether this item has been provided for in any other page of the budget. If not, I must say the Ministry has completely ignored this main factor. Coming to concrete examples and taking stocks of what was then and what it is now in the district of Jalpaiguri, of which I claim particular knowledge, I can say that even thirty years before Duars abounded in innumerable heads of cattle, comprising of bullocks and buffaloes and cows. It was proverbially a notorious unhealthy place, but these innumerable cattle supplied sufficient milk and butter and in that pernicious climate the poor agriculturists could subsist and could sustain their strength and by clearing jungles turned waste lands of Duars into profitable land. After Duars was annexed in the year 1864, as far as I remember, at the time of Settlement by Mr. Becket, Duars yielded only Rs. 40,000 and now it is yielding more than 9 lakhs, but at what cost? I do not say that Government should not try to improve the income from that part of Bengal. I would certainly welcome that. But my submission is that being blinded by this mercenary policy Government have entirely ignored the agriculturists who had entirely depended before on their cattle wealth. Duars is a submontane region and more than half of its land was forest land. Tea planters have no doubt contributed much towards its improvement but, Sir, so far as the agriculturists are concerned, they depended mainly on the *danga* land on which they grew money crops, such as tobacco, mustard, jute, etc., but the land is absolutely sandy and it requires sufficient manuring to grow these money crops. Previously cattle manuring was plenty and the agriculturist's economic condition was much better but afterwards year after year the khas mahal leased out practically every inch of land that could be leased out, which was cleared and turned into agricultural fields.

Now, Sir, previously there was extensive grass land for the purpose of grazing of cattle, but there is now practically no grazing land worth its name. Whatever little patches there are here and there, if we examine them, we will find that they are nothing but sandy deserts and at a time when there is much necessity for fodder crops, i.e., the winter season, these so-called pasture lands or grazing blocks have no grass on them. To add to this the charge for grazing of each buffalo has risen from·8 annas to Rs. 6. The result has been that within my own knowledge and during my life time I have seen that under the present condition more than 50 per cent. of the cattle strength of Duars has migrated to Assam and the remaining that are living are in a famished condition.

Nowadays, Sir, we are supplying the whole of Bengal with stud bulls and it is a fact that we indent all these bulls either from Australia or from somewhere else. I have seen in my young days bulls

that could compete with any other bull, even Hariana bulls of nowadays. I can say, Sir, that if Government even now adopt a policy to grow these stud bulls in Duars they will succeed in supplying bulls not only for Bengal but outside also within a few years. As a result of this unhappy situation the agriculturists who had to clear jungles and turn Duars land into profitable land and have contributed much to the public coffer, are being forced to sell off their cattle because they cannot feed them. And because of the fact that the cattle have now deteriorated in their health, agriculture has suffered very much. There being not sufficient manure, the fields are not turning out sufficient money crop of good quality. The agriculturist is becoming poorer day by day and lands are passing into the hands of middle-men. I would humbly implore the Ministry just to consider the circumstances and kindly enquire whether this process should be checked, so that they might find out some remedy. I may suggest that even now, Duars abounds in streamlets and small rivulets, and if only the lands on both sides of these rivers be reserved for grazing purposes this would go to help the agriculturists for the purpose of supplying them with pasture lands. This will not do much harm or will not go much to the detriment of the public revenue but would save those people who turned the Duars into profitable land. Forests, that were allowed for the purpose of grazing before, have been entirely closed. I understand from private correspondence that forests cannot be opened for grazing purposes because that will go to the detriment of the forest revenue. The other day the Hon'ble Minister for Forests said that in the Chittagong district, a large forest area has been reserved for the purpose of grazing. I do not know why that policy cannot be followed in the case of Jalpaiguri. My submission is that some sort of scheme must be devised to save the agriculturists and their cattle wealth.

Most probably the Hon'ble Minister will point out to me that agriculturists should take to the idea of growing Napier grass, because that is the talk of the day. I may humbly submit to him that, so far as the growing of Napier grass is concerned, neither the Duars land nor any other land can be suitable without proper manuring. Again, how far has the department succeeded in making Napier grass popular? In the district of Jalpaiguri, there are plots of land growing Napier grass—one within the Deputy Commissioner's bungalow and another in Mainaguri, where there is an experimental farm. Will the Hon'ble Minister kindly enquire whether the agriculturists there have profited by the experimental farm? I submit, Sir, that if he makes an enquiry he will find that the results are most disappointing. The agriculturists look upon those things just like they look at a show. They do not know how these things are to be managed, and the agricultural officers also do not go to mufassal and help the agriculturists by enlightening them as to the proper method of growing grass. At least I find that in the rural area no real agriculturist has profited by

any such advice in this direction. Whether cultivation of Napier grass will succeed or not remains to be experimented upon. If it succeeds it is quite well and good.

(At this stage the member reached the time-limit but was allowed to finish his sentence.)

Sir, I would humbly request the Hon'ble Minister to see to the removal of the deplorable condition and make some provision for good pasture land either from the Forest Department or Khas Mahal Department until that time.

Mr. WALIUR RAHMAN: Sir, I beg to move that the demand of Rs. 16,68,000 for expenditure under the head "40—Agriculture" be reduced by Rs. 100.

By this amendment I want to raise a discussion about the fixation of minimum price of jute at least at Rs. 10 per maund.

Sir, it appears from the Jute Committee Report that in order to raise the price of jute, early steps should be taken. But the Bengal Government most probably jumped to the taking of only one measure, i.e., compulsory regulation of the jute crop. But I do not think that they are going to take any other measure. Under the circumstances, if other measures are not taken, it is not possible to ensure the rise in the price of jute in the market. No steps have been taken by the Government in that direction, and it appears that the Indian Jute Committee, even when the yield of jute was so low that it did not meet the demand, always kept the price of jute depressed. It also appears from the reports of the Jute Committee that the Indian Jute Mills Association always control the policy in this matter and that they do not look to the interest of the jute-growers. Since the beginning of the depression there were many years when the production of jute did not exceed the demand for it, but the prices of the jute fibre have been so depressed that the jute-growers could not obtain in many cases even the cost of cultivation, while the mills made huge profits. This will be proved from a study of the jute industry in Great Britain and by the observation of Mr. N. R. Sarker, ex-Finance Minister of Bengal, published in *Amrita Bazar Patrika*, dated the 21st August, 1938. It also appears that sometimes the jute mills make huge profits without caring for the interests of the jute-growers, and if we look at the rate of profit which the jute mills make, we shall understand why it is not possible for the cultivators to get the due price. There must be some control over the matter by Government, as without such control it is not possible for the jute-growers to obtain a due price or improve the present prices. Under these circumstances, control is essential. At present there are many imperfections and corruptions in the jute market, and in order to remove these corruptions, legislation must be resorted to. In the Bill recently sponsored by Government to regulate

the production of jute, there is unfortunately no provision in this direction. There are some jute mills which always try to exploit the jute-growers, and still no provision has been made in the Bill which has been passed to save the jute-growers from this sort of exploitation and injustice. Some legislation must be made to save them from the injustice which has been done to the jute-growers. It appears that dividends were distributed to the shareholders of jute mills and contributions were made to the Reserve Fund even when there was economic depression all over the world. They are making so much profit that it is most unusual and is detrimental to the interests of the jute-growers. That is why I suggest, Sir, that the price of jute should be fixed at Rs. 10 per maund. The cost of cultivation of jute is not less thar Rs. 4, and so it will not be possible for the jute-growers to maintain their families or to meet their bare necessities if the price of jute is not fixed. If other measures which are of sufficient help in the matter of a rise in the price of jute are not taken, the present unhappy circumstances of the jute-growers will continue and they will remain as before victims to the caprices of the jute-dealers. Under these circumstances, to save them from the clutches of the jute mills and other exploiters such as *pharias*, some legislation is necessary for ensuring a better price for jute. The legislation which has recently been made is not at all comprehensive, and so as a measure of protection fixation of the minimum price of jute at Rs. 10 per maund is necessary. If other measures were taken, the price of jute might have risen automatically. As the methods adopted were not comprehensive to ensure a rise of price, the price of jute may be fixed at Rs. 10 per maund.

It is under these circumstances that the jute business is going on. If the price of jute is not fixed it will be very difficult for the jute-growers to grow jute, because they are not getting any profit out of it; rather they are losing, because they are not in a position to get the cost price, that is, to get the cost of the preparation of jute. So the price of jute must be fixed. There are other circumstances which are unfavourable to them owing to the absence of marketing facility of jute. They are not in a position to sell jute due to a proper market and due to the fact that it is a disorganised industry and is not controlled by Government. Sometimes they are deceived by the *pharias*, etc., and though this year there was an Ordinance fixing the price of jute but that is in respect of *pucca* bales and the price of loose jute was not fixed. Under the circumstances it was very easy for the *pharias* and dealers to deprive the jute-growers of their due price. So it is highly desirable that some measures should be taken by Government to fix the price of jute, to see that they do not sell at a loss but get some profit at least so that they can maintain their family. If we scrutinise the expenditure required to maintain a family even in a very poorly

style, then we will find that the price at which jute was sold even before the war time was not sufficient for their maintenance. Therefore it is the duty of Government to give some sort of relief to the poor jute-growers to save them from starvation. Some sort of legislation should be made to ensure a proper price if it is not possible for the Government to fix the price at Rs. 10 a maund. All comprehensive measures should be taken without delay so that Government may ensure the jute-growers a high price for their jute. With these words, Sir, I commend my motion to the acceptance of the House.

Mr. SPEAKER: I think I might at this stage just make a suggestion to the House so that the debate may be regulated and be helpful to both sides of the House. I understand that motions Nos. 5 to 10 are not going to be moved as they are exactly of the same nature as the motion moved by Mr. Waliur Rahman. Before I come to the motion given notice of by the Congress Party there is one motion by Mr. Abu Hossain Sarker which may be finished within 10 minutes' time. After that I propose to take up Mr. Haripada Chattopadhaya's motion. On these four motions the debate will proceed after the prayer interval till we come to a conclusion. It is no use proceeding with other amendments. I hope this procedure will suit both the parties, so that every one may get a chance of discussing the main demand itself.

Mr. ABU HOSSAIN SARKER: Sir, I beg to move that the demand for Rs. 16,68,000 under the head "40—Agriculture" be reduced by Rs. 100.

Sir, by this amendment I want to discuss about the introduction of cultivation of tobacco for making cigarettes and *biris* in North Bengal. I do not move this cut motion in order to bring a censure on the Government but to put in some valuable suggestions to show that the Government can legitimately extend their activities for the benefit of the people and specially to do away partly at least with the problem of the middle class unemployment prevalent in Bengal. The words "North Bengal" have been used very loosely here because it is a question of the whole of Bengal and North Bengal is used only to show that it is the only tobacco-growing area throughout the whole province. It is a well-known fact that several crores of rupees are drained from Bengal as the price of cigarettes and tobacco for *biris*. Honourable members of this House are well aware that even in the remotest corners of the villages the agriculturists have taken to *biris* as their favourite smoke and among the aristocrats and the middle class people of Bengal the smoking of cigarettes is a very fashionable habit nowadays. The House will be surprised to know that these cigarettes are made from foreign tobaccos brought into our province either in a manufactured condition or as raw material from Egypt, Turkey, America, Sumatra

and other countries of Europe and Asia, and the whole of the *biri*-making tobacco is generally brought into this country from Bombay, Madras, Nepal and other provinces of India. Now, Sir, in North Bengal there is a good virgin soil for the introduction of the cultivation of this tobacco. I am not aware of the existence of any cigarette factory owned by any Bengalee here in Bengal, and if there be any factory managed by European or other firms they use tobacco brought from countries other than Bengal for the preparation of those cigarettes.

It is therefore, Sir, an incumbent duty on the Government to introduce the cultivation of these tobaccos for making cigarettes and *biris*. No doubt there is a farm established by Government called Birihat Farm near the headquarters town of Rangpur. But there the tobaccos grown are not of any importance for these two purposes. Only heavy tobacco for *hooka* and a small quantity of tobacco for manufacturing cigars are produced and these cigar-making tobaccos are generally bought by the Burmese in order to manufacture cigars there. Therefore my suggestion is that the Hon'ble Minister for Agriculture who is taking such a keen interest should take steps to introduce those special kinds of tobaccos in North Bengal. I understand that there is some hindrance. Just after the last war one or two European firms tried to introduce the tobacco for making cigarettes in that part of the country but unfortunately the big foreign companies, the Trusts and the Combines bought them out and prevented the introduction of this tobacco in North Bengal specially in Rangpur. As I submitted, Government can legitimately extend their activities in that part of the country by introducing this tobacco as a money crop and as a measure for relieving the middle class unemployment. I hope the Hon'ble Minister will take it in the spirit in which I have moved my cut motion, and will not take it as a censure motion. As he has invited suggestions, I make this suggestion to him. I also appeal to this House through you, Sir, and to each and every member of the House to realise that middle class unemployment is growing. If Government establish model farms in order to introduce that kind of tobacco, I mean the *biri* and cigarette-making tobacco, and tried to establish one or two factories for making cigarettes and *biris* I think a good number of educated middle class people can be employed there and also the experts whom Government intend to send to Europe for special training can be employed there as Superintendents of these firms and in this way encourage the industry as well as agriculture. Some thirty years back there was a cigarette factory at Rangpur, but unfortunately as the indigenous tobacco could not be used there for manufacturing cigarettes it failed and the factory is now lying vacant. At present perhaps it is being used by a Marwari gentleman as a godown for storing jute. Therefore, I think it is a fit subject for the Hon'ble Minister to take into his consideration. Will

Government look into it? Will the Hon'ble Minister give a little time to think about it? Will he also consult specialists to undertake particular statistics to see how much money is drained from Bengal as the price of cigarette and *biri*-making tobaccos? It is reported that tobacco is now the third revenue-producing agricultural product in the world. If Government introduce this valuable crop in Bengal, they may also be benefited because subsequently they may derive a good income by taxing this product. Therefore, I submit that the Hon'ble Minister will be pleased to go into this matter seriously and carefully and try to give effect to my sugestion so that both agriculture and industry may be benefited out of the project suggested.

Mr. HARIPADA CHATTOPADHYAYA: Sir, I beg to move that the demand of Rs. 16,68,,000 under the head "40—Agriculture" be reduced by Rs. 100.

মাননীয় ডেপুটি স্পীকার মহাশয়, আমরা এখানে এই ছাটাই প্রস্তাব আনছি যে, কৃষি বিভাগের বাজেটে যে ১৭ লক্ষ ৫১ হাজার টাকা ব্যয় করার বরাদ্দ ধরা হয়েছে তা থেকে একশত টাকা ছাটাই করা হোক।

এ সম্বন্ধে বোলতে গেলে কৃষি বিভাগের নীতি সম্বন্ধে বিশেষ কোরে বলা দরকার। প্রথমতঃ আমাদের দেখতে হবে, আমরা এখানে কাদের জন্য এ শাসন ব্যবস্থা চালাচ্ছি। বাংলা দেশে যারা নাকি শতকরা ৮০ জন তাদের দিকে বিশেষ নজর রেখেই শাসন ব্যবস্থা চালাতে হবে। বাংলা দেশে আনুমানিক এক লক্ষ গ্রাম; এবং সহরের মতন সহর মাত্র ৫০টার বেশী নয়। তাহলে গোড়াতেই বুঝে নিতে হবে যে, বাংলা দেশের শাসন ব্যবস্থা যদি চালাতে হয়, গ্রামের ভিতর যে সকল চাষীরা বাস করে তাদের দিকেই সর্ব্বাগ্রে নজর দিতে হবে। এবং তাদের দিকে নজর দেওয়ার মানেই হোচ্ছে কৃষির উন্নতি সাধন করা। কিন্তু অন্য সব বিভাগের তুলনায় কৃষি বিভাগের বাজেটের বরাদ্দ দেখে আমাদের মনে হয় যে, এ বিভাগের প্রতি গভর্ণমেণ্টের যা স্নেহ সে বিমাতার স্নেহ বই আর কিছুই নয়। এমন কি এবার গেল্লো বছর থেকেও পাঁচ লক্ষ টাকা কম কোরে ধরা হয়েছে। আমাদের গভর্ণমেণ্টের মোট রেভিনিউ হোচ্ছে ১৩ কোটি ৯৭ লক্ষ টাকা, মোটামুটি ১৪ কোটিই ধরা হয়। এর মধ্যে যা না কি খরচ দেখা যায়, তাতে পুলিশ বিভাগের জন্য হোচ্ছে ২ কোটি ৩০ লক্ষ ৭৬ হাজার, মোটামুটি ২ কোটি ৩১ লক্ষ টাকা। অর্থাৎ সমস্ত রেভিনিউয়ের এবং শতকরা ১৬ ভাগেরও উপর। তারপর general administration এর খরচ হোচ্ছে ১/৬ কোটি ৫৭ লক্ষ ৪৭ হাজার টাকা, শতকরা ১১ ভাগেরও উপর। Administration of Justice এর জন্য বরাদ্দ ১ কোটি ৮৯ হাজার অর্থাৎ শতকরা ৮ ভাগের উপর। অন্যদিকে agriculture অর্থাৎ কৃষি—যা নাকি আমাদের আসল জিনিষ—যার উপর এ দেশের জনসাধারণের অস্তিত্ব ও সমৃদ্ধি নির্ভর করে—তার প্রতি আমাদের জনপ্রিয় গভর্ণমেণ্টের বিমাতার স্নেহ কি রকম, সভ্য মহোদয়গণ লক্ষ্য করুন। এখানে মোটের উপর ব্যয় করা হবে ১৭ লক্ষ ৫১ হাজার টাকা। শতকরা মাত্র এক ভাগের কিছু বেশী। তার ভিতর থেকে বোটানিক্যাল এবং অন্যান্য সরকারী গার্ডেনের খরচ বাবদ ১ লক্ষ ৫৩ হাজার টাকা বাদ দিলে বাকি থাকে ১৬ লক্ষের কিছু কম। এখন দেখা যাক এই সামান্য টাকাই কি ভাবে ব্যয় হয়। উক্ত ১৬ লক্ষ টাকা থেকে direction বাবদ ব্যয় হোচ্ছে দেখা যায় ৮২ হাজার ৫ শত টাকা; সুপারিনটেণ্ডেন্সে ব্যয় ২ লক্ষ ৭৭ হাজার ৫ শত টাকা অর্থাৎ মোট ব্যয়ের শতকরা ২০ ভাগের বেতন। তারপর experimental কার্য্যের দরুণ ২ লক্ষ ১০ হাজার টাকা ব্যয় হয়। এই টাকার অধিকাংশই খরচ হয় কর্ম্মচারীদের বেতনে।

তারপর agricultural demonstration ও propaganda (including exhibition and fare) বাবদে বরাদ্দ হোয়েছে ১ লক্ষ ৪২ হাজার টাকা। সরকারী কর্ম্মচারীদের দ্বারা এই সব exhibition এর আয়োজন হয়। এ সব exhibition এ নিরক্ষর দরিদ্র চাষীদের কৃষি বিষয়ক শিক্ষালাভ বিশেষ কিছু হয় বোলে আমার বিশ্বাস নেই। প্রচারের নামে এতে যা হয় তাকে তামাসা বোল্লেই চলে। অথচ গ্রামে গ্রামে কৃষি শিক্ষা ও গবেষণার প্রচলন ও প্রচারের কোনই সুবন্দোবস্ত ও ব্যবস্থা নেই।

কৃষি খাতে আসল খরচ হলো মোট ৩৫ হাজার টাকা মাত্র অর্থাৎ গবাদি পশু খরিদ ৪ হাজার টাকা; ঐ সকল পশুর খাদ্য খরিদ ২০ হাজার টাকা ও যন্ত্রাদি খরিদ ১১ হাজার টাকা। বাকি সবই খরচ হয় কর্ম্মচারীদের মাইনে ও অন্যান্য বাজে ব্যাপারে। এখন বিভাগীয় বড় বড় অফিসারদের সঙ্গে ছোট ছোট অফিসারদের বেতনবৈষম্য ও তারতম্য বিষয়ে বিচার করা যাক।

ডিরেক্টর বেতন পান ২,০০০৲—২,৫০০৲ টাকা, এসিষ্টাণ্ট ও ডেপুটি ডিরেক্টর পান ১,২০০৲—১,২৫০৲ টাকা, এগ্রিকালচারাল্ ইঞ্জিনিয়ার পান ২,০০০৲ টাকা, লাইভ্ ষ্টক্ এক্সপার্ট পেয়ে থাকেন ১,২৫০৲ টাকা।

অপর দিকে—

এগ্রিকাল্চার অফিসারের বেতন ১৭৫ টাকার উর্দ্ধে ওঠে না। এগ্রিকাল্চার ডিমনষ্ট্রেটার পান ২৫—৫০৲ টাকা মাত্র। আর ক্লার্কের বেতন ৩৫—৮৫৲ টাকা। এই সামান্য বেতনের এগ্রিকাল্চার অফিসার তাও দুই এক জেলায় নেই। এবং প্রত্যেকটী সাবডিভিসনে একটী কোরে demonstrator নেই। যেমন আমার নিজের জেলা নদীয়ার কথা বলি। ৫টী মহকুমার মধ্যে একটী মহকুমা রাণাঘাটে একজন agricultural demonstrator পর্য্যন্ত নেই। সুতরাং এ হেন কৃষিবিভাগের কাজের দ্বারা কি কোরে জনসাধারণের উন্নতিসাধন হোতে পারে?

বাংলাদেশের জমিগুলিকে উর্ব্বর কোরে দেশের সমৃদ্ধি শতগুণ কি কোরে বর্দ্ধিত করা যায় সেদিকে দৃষ্টি না দিয়ে শুধু মামুলি প্রথায় এই বিভাগটাকে বজায় রাখা ছাড়া গভর্ণমেন্ট আর কিছুই কোরছেন না। অন্য কিছু না হোক অন্ততঃ প্রত্যেক থানায় একজন কোরে demonstrator রাখা উচিত। বর্ত্তমানে যে স্বল্প-সংখ্যক demonstrator আছেন তাঁদের বছরের মধ্যে একদিনও ছুটি নেই; এটাও একটা প্রধান grievance. এমন কি labourer দের বিহার এবং পাঞ্জাবে পর্য্যন্ত graded service ; তারা casual leave পায়—আর বাংলায় তাদের no work no pay. Agricultural Department এ ভক্তবাৎসল্যও কম নয়; যিনি Assitant Director তাঁর কোন agricultural qualification নেই। দুজন Deputy Director এরও তথৈবচ। একজন ছিলেন সব-ডেপুটি কলেক্টর; অতঃপর তিনি হন Superintendent of Sericulture; তারপর Personal Assistant to the Director হন (এটা হোচ্ছে purely clerical job) এবং সেখান থেকে সরাসরি ডেপুটি ডিরেক্টর নিযুক্ত হোয়েছেন। অন্য দিকে upper subordinate serviceএর দুজন officer ১৮ বছর কাজ করার পর confirmed হোয়েছে। যে বিভাগে কর্ম্মচারীদের এরকম বেতন বৈষম্য এবং প্রমোশন ও appointment এর বেলায়ও এইরকম খামখেয়ালি, সে বিভাগে কাজ কি কোরে ভালো চোলতে পারে? Upper subordinate service এর appointment টা Public Service Commission এর দ্বারা হোচ্ছে না কেন বুঝি না। ১৯৩৯ সনে Dairy Assistant নিয়োজিত হোলো, কিন্তু বাংলাদেশে লোক খুঁজে পাওয়া গেল না। নেওয়া হোলো একজন non-Bengalee Moslem কে। ঐরূপ ১৯৪০ সালে Entomological Assistant ও Economic Botany Assistant নিয়োজিত হলেন non-Bengalee Moslem; তাঁরা হলেন আবার শালা, ভগিনীপতি।

এইবার expert দের কথা। মন্ত্রী মহাশয় স্বয়ং স্বীকার কোরেছেন যে আজ পর্য্যন্ত বাংলাদেশে একটা soil survey হয় নি, অথচ একজন Chemist নাকি আছেন। এবং একজন Live-Stock Expert ও নাকি আছেন। তাঁরাই বা কি কাজ? যদি cattle improvement কোরতে হয় তাহলে method of selection ও cross-breeding এই দুটী উপায় অবলম্বন কোরতে হবে। বর্ত্তমানে কোন দিক বিবেচনা না কোরে কতকগুলি হিসার ষ্টাড-বুল আমদানী করা হোয়েছে; তার কোনটীও Pedigree নয়, contractor এর মারফৎ যা তা দামে কেনা। সেসব দিয়ে প্রকৃত কোন কাজ হোচ্ছে কি না, পরীক্ষা কোরে দেখবার কেউ নেই। তাঁদের অনেকগুলি এখন ব্রহ্মচর্য্য পালন আরম্ভ কোরেছেন। (loud laughter)। বড়-বড় expert সব আছেন বটে কিন্তু কৃষি-বিভাগে গবেষণার কাজ অত্যন্ত শোচনীয়; এর একটা প্রমাণ Imperial Council of Agricultural Research এর বাংলার উপর কোন আস্থা নেই। এবং এখানে টাকা দিলেই তাঁরা মনে করেন যে সে টাকা জলে যাবে। কোন্ প্রদেশ কত টাকা গবেষণার কাজের জন্য সাহায্য পান তার তুলনামূলক আলোচনা কোরলেই বোঝা যাবে বাংলাদেশের প্রকৃত অবস্থাটা কি! পাঞ্জাব ৩,৯৫,১৫০৲ টাকা পায়। যুক্ত প্রদেশ পায় ৬,৬১,১০০৲ টাকা। মাদ্রাজ পায় ৫,৬১,৫৮৯৲ টাকা। বিহার পায় ৫,০১,৪২০৲ টাকা আর আমাদের বাংলাদেশ পায় ২,৮৬,৬৫২৲ টাকা মাত্র। এটা আমি Sir, John Russel এর report থেকে বোলছি।

এখন আমি Horticulture সম্বন্ধে কিছু বোলবো। Imperial Council of Agricultural Research এর সাহায্যে মাত্র ১৩৩৪ সালে সামান্য কিছু কাজ কৃষ্ণনগরে আরম্ভ হোয়েছে। আমরা কিন্তু বরাবর শুনে আসছি লোক নেই, টাকা নেই, বাংলা সরকার এ পর্য্যন্ত কিছুই করেন নি। অথচ দুবছর ধোরে গভর্ণমেণ্টের দপ্তরে এই কাজ বাড়ানোর প্রস্তাবটা পোচ্ছে। প্রস্তাবটাকে অচিরেই কার্য্যকরী করা আবশ্যক। ৫ লক্ষ টাকা initial expenditure এবং এক লক্ষ টাকা capital expenditure এর বরাদ্দ অবিলম্বে কোরলে তবে এটা কার্য্যকরী হোতে পারে। আম, লিচু, আনারস, পেপে, বেল, পেয়ারা, কলা প্রভৃতি সম্বন্ধে ভালো research হওয়া দরকার। এই বাংলাদেশ থেকে একদা সুদূর পাঞ্জাবে কলা চালান যেতো, আর আজ কলকাতার বাজার মাদ্রাজের কলায় ভর্ত্তী। Canning ও fruit preservation ও এই স্কীমের মধ্যে থাকা উচিত। এতে কোরে বহু টাকার ক্ষতির হাত থেকে ফল উৎপাদনকারিগণ বেঁচে যাবে।

এই সঙ্গে সঙ্গে আমরা কৃষিজাত দ্রব্যের সর্ব্বনিম্ন দাম বেঁধে দেওয়ার দিকেও পরিষদের দৃষ্টি আকর্ষণ কোরছি। বর্ত্তমানে এই জিনিষটার একান্ত প্রয়োজন হোয়ে পোড়েছে। বাংলা সরকার এত দিন পর্য্যন্ত এ-সম্বন্ধে উদাসীন রোয়েছেন। ইক্ষু সম্বন্ধে এইরকম উদাসীনতার ফলে ক্রমশঃ ইক্ষুর বাজারও পাটের অবস্থায় পরিণত হবে। ইতিমধ্যেই নীলকরের অত্যাচারের মত বাংলাদেশে ইক্ষু-চাষীদের উপর জুলুম আরম্ভ হোয়েছে। রাজসাহী, দর্শনা, পলাসী, বেলডাঙ্গা এই ৪টী মিল এক জোট বেঁধেছেন। মালিকগণ কে কোথায় আখ কিনবেন তা আপোষে ঠিক কোরে নিজেদের মধ্যে প্রতিযোগিতা বন্ধ কোরেছেন, এবং ইচ্ছামতন দরে আখ কেনার ব্যবস্থা কোরছেন। গভর্ণমেণ্ট নিজেরা অন্যান্য প্রদেশের মতন আখের দর বেঁধে তো দিলেনই না, এমন কি Defence of India Act এর কল্যাণে চাষীদের সঙ্ঘ কোরে একজোট হবার উপায় পর্য্যন্ত রাখেন নি। সর্ব্বত্র মাকড়-ধোকড় নীতি। অনেক স্থলে মিল-মালিকগণ চাষীদের দাদন নিতে বাধ্য কোরছেন। দরও তাঁরাই ইচ্ছা মতন বেঁধে দিচ্ছেন। যারা দাদন নেবে না, তাদের আখ আরো কম দরে নেবার ভয় দেখান। দরিদ্র চাষী যদি ৫ বিঘা আখ তৈরী করে তবে তা ভাঙ্গিয়ে গুড় করার সামর্থ্য তার নেই; কারণ তার উপযুক্ত গরু মহিষের অভাব। কাজেই মিল মালিকগণ যে দরই দেন সেই দরেই আখ ছাড়তে সে বাধ্য হয়। তবু যে হতভাগ্য

দর এবার পেয়েছে সে [illegible] প্রতিযোগিতার গুণে, কিন্তু সে দরও বিহার ও যুক্ত-প্রদেশের চেয়ে অনেক কম। তার পর ওজনের চুরির তো মা বাপ নেই-ই। ষ্টেশনে ষ্টেশনে যেসব আখ খরিদ্দার আসেন তাদের মিলের বাবুদের মোটা মোটা টাকা ঘুষ দিতে হয়; ওদিকে কোম্পানির ভাড়ার ওজনও বেশী দিতে হয়; আখ মাজগাড়ীতে যেতে যা শুকায় তারও পড়তা কোরে দিতে হয়; এর উপর নিজেদের লাভ। এ সমস্তই উঠান হয় দরিদ্র চাষীর উপর দিয়ে। এক কথায় law and order থাকা সত্ত্বেও এই সব ষ্টেশনগুলিতে প্রত্যহ দিনে ডাকাতি হয়। ইক্ষু-চাষীদের সর্বনাশ সাধনের জন্য এই সব কার্য্যকলাপকে দস্যুতা বোল্লে কিছুই অতিরিক্ত বলা হয় না। আশা করি মন্ত্রী মহাশয় এদিকে অবিলম্বে নজর দেবেন।

ইদানীন্তন আমাদের পল্লীর কৃষকদের যা না কি দুরবস্থা তাতে marketing সম্বন্ধে co-operative sale এর ব্যবস্থা করা বিশেষ দরকার। বোম্বেতে সেখানকার সরকার তুলা সম্বন্ধে Registered and controlled cotton market স্থাপন কোরেছেন, অথচ বাংলাদেশে পাট এবং অন্যান্য কৃষিজাত দ্রব্য সম্বন্ধে কোন ব্যবস্থাই করা হোচ্চে না। আমাদের এখানকার পাট ও কৃষিজাত দ্রব্য সম্বন্ধে সে ব্যবস্থা হবে না কেন?

বাংলাদেশকে আজ সর্বাপেক্ষা দরিদ্র প্রদেশ বলা চলে। ১৯০৫ সালের একটী সরকারী হিসাব থেকে দেখা যায় যে বাংলাদেশে কম পক্ষে ৯ লক্ষ লোক অভুক্ত ছিলো। গোটা ভারতবর্ষে ছিলো ৬০ লক্ষ। বিভিন্ন প্রদেশে শতকরা কত লোক অভুক্ত থাকে তার তালিকা হচ্চে—

আসামে শতকরা ৯ জন।
যুক্তপ্রদেশে শতকরা ২১ জন।
মাদ্রাজে শতকরা ১৮ জন।
উড়িষ্যায় শতকরা ১৮ জন।
বিহারে শতকরা ১৮ জন।
পাঞ্জাবে শতকরা ২০ জন।
বোম্বেতে শতকরা ১১ জন।

কিন্তু বাংলায় হোচ্চে ৩১ জন। এই হোচ্চে আমাদের বাংলাদেশের অবস্থা।

ইংলণ্ডে প্রতি হাজার একরের জন্য গভর্ণমেণ্ট ব্যয় করেন ১,৩৮০৲ টাকা, ভারতবর্ষে ৩১৲ টাকা কোরে প্রতি হাজারে ব্যয় পড়ে, কিন্তু বাংলাদেশে প্রতি হাজার একর জমির জন্য এর চেয়েও কম ব্যয় হয়। কিন্তু প্রতি এক হাজার একর জমিতে ভারত গভর্ণমেণ্ট রাজস্ব পেয়ে থাকেন ৩,৫০০৲ টাকা। আজ দুনিয়ার অন্যান্য দেশ জমিতে ফসল ও ফল প্রভৃতি উৎপাদনের ক্ষমতায় আমাদের বহু পশ্চাতে ফেলে অগ্রসর হোয়েছে। স্পেন দেশে ধানের ফলন হয় আমাদের চেয়ে ৬ গুণ বেশী। জাভাতে আখ জন্মায় প্রতি একরে ৪০ টন, আর আমাদের দেশে জন্মায় পড়ে মাত্র ১০ টন। আমাদের দেশের জমিগুলিতে প্রত্যেক জায়গায় ফলন হয় না। অনেক জমি অনুর্বর অবস্থায় পড়ো হোয়ে রয়েছে। এবং তাকে উর্বর ক্ষেত্রে পরিণত করার কোনই প্রচেষ্টা নেই।

এখানে বাংলার বর্ত্তমান গভর্ণমেণ্টকে আমরা জিজ্ঞাসা কোরতে চাই—আমাদের দেশে তুলোর চাষ প্রবর্ত্তনের কি হোলো? এক কালে বাংলাদেশে যে প্রচুর তুলো উৎপন্ন হতো তার যথেষ্ট প্রমাণ রয়েছে। কাশাসড়াঙ্গা প্রভৃতি নাম তার একটা নিদর্শন। কিন্তু আশ্চর্য্যের বিষয় এই যে বাংলা সরকার মিল-মালিক সমিতি থেকে বিশেষ সাহায্য পাওয়া সত্ত্বেও এ বিষয়ে আজ পর্য্যন্ত তেমন কিছুই করেন নি। আসল কথা দৃষ্টিভঙ্গি বদলান চাই। রাশিয়া বা জার্ম্মেনিতে যেমন হোয়েছে তেম্নি কোরে আমাদের দেশেও agricultural এবং economic planning কোরতে হবে। Intense cultivation করার এবং জিনিষপত্রের দরও বেঁধে দেওয়া বিশেষ দরকার। আশা করি আমাদের কৃষি-মন্ত্রী মহাশয় এদিকে একটু নজর দেবেন। কিন্তু

দুঃখের বিষয় দেশের এই সব উন্নতিসাধন কোরতে হোলে যে সকল দেশ-সেবকের সাহায্যলাভের একান্ত প্রয়োজন, সরকার তাদের voluntary সাহায্য পর্যন্ত চান না; বরং Defence of India Act এর অপপ্রয়োগের দ্বারা তাদের কাউকে বা intern কাউকে বা extern কোরেছেন। জাতিকে যাঁরা নিজের জীবনে জীবন দিয়ে প্রাণবন্ত করে তুলতে চান, নিপীড়িত সর্বহারা মানুষের কল্যাণে যাঁরা নিজেদের সব কিছুই করেছেন, দেশের সেই সব সুসন্তানদের অন্ততঃ না রেখে তাদের সাহায্য গ্রহণ করা হোক। গভর্ণমেণ্টের বেতনভুক্ত যারা তারা তো আছেই, তার উপর দেশের শ্রেষ্ঠ সন্তানদের সাহায্য যদি না নেওয়া হয়, সকলে যদি আমরা এক সাথে কাজ আরম্ভ না করি তাহলে দেশের প্রকৃত উন্নতি হবে না বরং এই রকম হাল-চাল চলতে থাকলে দিন দিন আমাদের এই দেশ কবরখানায় পরিণত হবে।

Mr. DEPUTY SPEAKER: Mr. Abdul Wahab Khan, will you speak now or will you speak after the prayer interval? There are only 3 minutes left for prayer interval.

Mr. ABDUL WAHAB KHAN: Sir, I may just begin now.

Mr. Deputy Speaker, Sir, there is a cut motion No. 84 standing in my name to raise a discussion about the policy of the Government in spending large sums of money without producing tangible results either in the quantity, quality or price of agricultural produce. Handicapped as we are I do not move the cut motion. I am only discussing——

Mr. DEPUTY SPEAKER: You are not moving your motion?

Mr. ABDUL WAHAB KHAN: No, Sir, I am only speaking on the general discussion of the budget.

Mr. JOGESH CHANDRA GUPTA: On a point of order. I think this matter has been discussed. A member will either speak in support of a motion or he will speak in opposition to a motion. The stage of general discussion on the budget is gone.

Mr. ABDULLA-AL-MAHMOOD: That is not the point. Notices of different cut motions have been given and the intentions of the different movers are indicated in those cut motions. So the sum-total of these motions will be taken into consideration and the speech will be made on that.

Mr. DEPUTY SPEAKER: What is the use of raising a point of order now? It is prayer time. The House is adjourned for 20 minutes.

(The House then adjourned for 20 minutes.)

(After adjournment.)

Mr. ABDUL WAHAB KHAN: Mr. Speaker, Sir, I am discussing the entire grant without moving my cut motion formally.

Mr. SHAHEDALI: On a point of order, Sir. Will the honourable member be in a position to say anything except supporting the motion or opposing motions moved by some other members?

Mr. SPEAKER: Yes, I have made it absolutely clear that at every point during the discussion on budget demand there is the main demand as well as the cut motion and therefore the member has the option of confining himself to the cut motion and discuss his grievances on the cut motion or confine himself to the main demand and discuss his grievances or support the main demand.

Mr. ABDUL WAHAB KHAN: Mr. Speaker, Sir, as I was saying, on the huge expenditure that is being made by the department, I am afraid, Sir, the criticisms about the top-heavy administration which were made in the days of the old Council still remain as good and as appropriate as ever. We have read the speeches of the Hon'ble Ministers who were then honourable members of the old Council and we still see these criticisms can be levelled against the very Government as it stands now.

I am not an agricultural expert but as far as I can see from a perusal of the Civil List it will show that many fat-salaried officers, viz., Director, a number of Deputy Directors and other experts of different designations are there. But a layman as I am, I cannot understand the utility or the value of so many high-salaried officers at the top. I can judge the utility or value of a thing by the benefit derived or the results achieved. A doctor is not to be judged by the bill of his fees but by the result of his treatment. In this case I see the patient—I mean the cultivator or in your own words, Sir, the man behind the plough—is getting from bad to worse. Frankly speaking, Sir, I am disgusted with the work of the department (cries of "hear, hear" from the Congress Benches), the District Officers and their chief. The agricultural farms in the districts, to my mind, have not up till now done any appreciable good to the agricultural classes for whose benefit they were meant. Research and experiment may have values, but from my personal enquiries I have known that the cultivators even in the neighbourhood of these farms have not derived any benefit from the experiments that are going on before their very eyes. They have categorically told me that they have not derived any benefit from these farms. Even conceding for the sake of argument that there is any benefit, it must be commensurate with the money spent thereafter. It

is well known, Sir, that unless the man behind the plough gets more agricultural produce and more value for it, we cannot save him from indebtedness, his illiteracy and other preventible diseases in spite of all laws that can be made and formulated on the floor of this House. If we can raise the standard of living, other industries will consequently thrive and the country will prosper. Everybody knows how all professions and industries have been hard hit owing to the miserable condition of these poor cultivators. We have been told more than often on the floor of this House that these farms are experimental centres for those particular areas. As I have said, judged by the result, they are all of very little result and benefit. I would beseech the Hon'ble Minister to look into the matter thoroughly, and for God's sake save us from this useless waste of money on top-heavy administration. Let the benefit derived by these high-salaried officers filter down to the masses and not be kept back from them which is their due.

Sir, I would be failing in my duty if I do not speak a few words on the agricultural condition of Eastern Bengal districts, and particularly of my district, the district of Bakarganj. (Dr. SASANKA SEKHAR SANYAL: The Chief Minister's district). Yes, as my friend says, it is also the district of the Chief Minister, who very recently went into the interior of the district. He has personally seen stagnation of water in lowlying areas and he has probably also heard from the local people that there has been consequent failure of crop from year to year. These water-logged areas present a very sad spectacle, and are sources of malaria and other epidemic diseases. There is want of drainage schemes causing the economic ruin of the people and deterioration of public health. Government should take early steps to appoint expert officers —I mean a number of agricultural engineers and overseers—for studying these problems in each district of Bengal and submit reports thereon. In this matter, Sir, the Department of Agriculture and the Department of Irrigation can very profitably co-ordinate their activities. But we do not know if ever the day will come when the Irrigation Department and the Agriculture Department will work hand in hand for the benefit of these people. Water-hyacinth is a well-known problem causing havoc to the Eastern Bengal districts, and particularly, as I can say from my personal knowledge, to my district as well as to its border district, the district of Faridpur, which is the district of the Hon'ble Minister in charge of Agriculture. As I was saying, the Hon'ble the Chief Minister has himself seen the water-logged areas and the accumulation of water-hyacinths therein and the havoc created by them: I would ask the Government to take immediate steps for saving the poor agriculturists of these districts of Eastern Bengal and appointing a Special Officer for studying this problem at an early date and devising ways and means for the eradication of this water-hyacinth. Sir, the condition of the *beel* areas on the border line of

these two districts—I mean the districts of Faridpur and Barisal—is extremely miserable. In reply to a question of mine the Hon'ble Minister was pleased to assure me that an officer would be sent to study the problem of irrigation in those areas (Mr. SURENDRA NATH BISWAS: Where?) Bakarganj and Faridpur. But I do not know when that assurance will be fulfilled.....(Mr. SURENDRA NATH BISWAS: After 50 years!) (Laughter).....I would ask the Hon'ble Minister of Agriculture also at this moment to implement that assurance given by the Hon'ble Minister in charge of Irrigation and to depute one officer.

Mr. SPEAKER: Is it the duty of that department? I find you are making the Irrigation Department responsible for these things.

Mr. ABDUL WAHAB KHAN: Sir, so far as agriculture is concerned, the Agriculture Department and the Irrigation Department should work hand in hand. But unfortunately, it is not so. Rather, when I ask the Hon'ble Minister of Agriculture about these problems, he says that it is the duty of the Irrigation Department, and when I ask the Hon'ble Minister of Irrigation he would say that it is the duty of the Agriculture Department. In this way, Sir, we are driven from post to pillar and from pillar to post, and we do not know where we stand. (Mr. SURENDRA NATH BISWAS: They are both brothers-in-law!) (Laughter.) I would ask the Hon'ble Minister to visit these water-logged areas in all the districts of Bengal and see for himself in what miserable condition the people live—I mean the people of these *beel* areas. They do not know whether their crops will survive or not.

(At this stage the member having reached the time-limit resumed his seat.)

Mr. SASANKA SEKHAR SANYAL: Sir, may I beg to oppose the main demand of the Hon'ble Minister? In doing so, I propose to take the cue from my honourable friend Mr. Abdul Wahab Khan who has criticised the policy of Government but who cannot come over to our side to offer practical suggestions as a friendly oppositionist.

Sir, the problem of agriculture is manifold, and the first two problems have been hinted by the Hon'ble Minister in charge of Agriculture and they have also been discussed by the various movers of the motions, namely, an assured price for the products and a regulated market incidental to them, but the third problem has not been carefully tackled and I hope the Hon'ble Minister will take note of that. The problem of problems is the destruction of the produce. The honourable member just preceding me has spoken with a sort of pathetic note that the destruction of the crop is the order of the day but there is no remedy. Sir, I propose to give a constructive suggestion to the Cabinet for the

remedy to the destruction of crops either by way of drought or flood, viz., that a crop insurance scheme should be introduced. Sir, rents are payable from year to year. Now what is rent? It is nothing other than premia which are extracted on the basis of implied contract, on the other side the contract is that there must be a guarantee for the return of crop for the premium which is paid. It is a pathetic story of Bengal year in and year out that either on account of failure of rain cultivation becomes impossible or on account of the unexpected ravages of flood the golden crops standing on the lands get washed away. We must set our hands to this problem and must set up a compulsory crop insurance scheme at the initiative of Government. Sir, I propose that at least a portion of the rent be earmarked for this fund and Government should also make a ratable contribution from the revenue realised from the landlords. This will enable them to form a nucleus to start with and with this nucleus in hand they will be able to further a scheme which by gradual application of thought and care will make the destruction of crops a thing of the past.

I said the other day and I say it to-day also that the Co-operative Department is a huge department without any comprehensive plan and I appeal to the Hon'ble Minister who is sitting here to take up the matter as a food for his own department so that the Co-operative Department might also be started as an insurance department for the protection and maintenance of crops. Let not the district farms be merely paper houses only to carry on the propaganda that the Ministry is doing all that it can in this matter. We know, the members of the Coalition Party know, that these are merely paper house departments which are meant only for the posting of officers without any practical schemes to give effect to. So I submit in all humility. I do not like to inflict a speech on the House in this matter, my humble suggestion as a student of rural Bengal is that if this Ministry really wants to stand by the masses, if the Ministry is really inspired by any genuine desire to do good to the masses, let the Ministry come forward with a comprehensive scheme of crop insurance and as Mr. Wahab Khan has said, this is a matter which should not be posted into water-tight compartments of this department or that department. But it should be the responsibility of the Cabinet as a whole; Irrigation, Finance, Agriculture and Revenue Departments must sit together and they must devise ways and means so that these ravages and destruction may not recur in the future.

Mr. SPEAKER: You want to keep away the Home Department?

Mr. SASANKA SEKHAR SANYAL: Let the Home Department be homeless. If you really want to subsidise the agriculture of this

province, then the Home Department will become to some extent unnecessary and irrelevant. You know, Sir, that embankment is a problem which is not tackled by Government. If the insurance scheme is there, Government will be bound to tackle this problem for fear of giving compensation to the agriculturists, they will have to protect the crops and they will have to ensure proper water-supply and all that. In the year of drought, they will have to go to the field and they will have to sink hundreds of tube-wells in order to keep alive the crops, because it will be a charge upon Government. If Government fails to bring out the crops Government will have to pay compensation. Similarly Government will have to introduce plans for the regulation of water-channels by sluice gates, and Government will have to feel that if the standing crops are destroyed millions of rupees will have to be given by them to the agriculturists in the shape of insurance compensation. So my submission is that let the Government take up this matter in right earnest and not merely indulge in hypocritical fantasies, let them come out and do something in a modest and sincere way for the benefit of the people so that when they leave office they may say that what they did they did for the interest of the people, and not merely for the vanity of holding personal office.

Mr. DAVID HENDRY: Sir, I have noticed in past years that when the agriculture grant comes up for discussion it has mainly been used as a peg on which to hang arguments for the fixation of a minimum price for jute. I must apologise for not having been here earlier to hear the debate this evening, but I gather that in the earlier stages the question of the minimum price for jute again occupied the greater part of the attention of the House. Very little time has been spent in the past in the discussions on this grant on the needs of the Agriculture Department itself, its flaws, and the possibility of its greater development. I well remember when I first joined the Indian Agricultural Service some 20 years ago it was a well-known fact that the Bengal Agricultural Department was starved of staff and starved for money, being worse off in this respect than any other province in India. That position, I believe, still obtains to-day, and there is very urgent need indeed of the whole question of the Agricultural Department being taken seriously in hand with a view to reorganisation and placing it on a sounder and more stable basis. The backbone of any Agricultural Department either here or in any other country must always be the extension staff represented in this country in the higher grades by the Deputy Directors of Agriculture. On the basis of population and cultivated area—Bengal's population is over 50 millons and the cultivated area something like 30 million acres—the number of Deputy Directors which this province ought to have compared with Burma's present staff should be 32 and on the same basis compared with the Punjab staff should be 14. Looking through the Civil List the other

day I was horrified to find that the Director of Agriculture in this province has to carry out his important duties with his main stand-by of Deputy Directors consisting of 2 only, one of whom is not even an agriculturist at all. The latter is, I believe, a very good man indeed, but to expect this province to struggle along with 2 Deputy Directors only and institute effective extension work is absurd.

Then again, Sir, so far as the question of other staff is concerned, namely, the Assistant Agriculturists or District Agricultural Officers—call them what you will—this province should not have less than 50; 40 on the basis of districts' requirements, with a leave reserve of about 10. Yet we find that the actual number is less than 1 per district, i.e., less than 27. From my own estimates, I would say that the number of Deputy Directors for this province should be not less than 10—leaving the Punjab and Burma out of account altogether—and not less than 50 Subordinate Agricultural Officers, Class I. But here we come up against the difficulty at once that these men cannot be found. This province has unfortunately never had an Agricultural College of its own so that men could be trained to carry out agricultural work in the way it should be done. In the old days students were sent to Poona or to the Sabour Agricultural College in Bihar; but the Sabour College has been closed down, and Poona no longer accepts students from other provinces. Fortunately, efforts have now been successfully made to establish an Agricultural College in this province, and I believe the new Agricultural Institute at Dacca affiliated to the University will commence operations this year. This will provide something like 20 trained men per annum, but, as the course itself is evidently to be a 6-year one, it will take at least 6 years before any assistance can be expected from that quarter. With the additional students who are being sent abroad to acquire agricultural knowledge and qualifications —I believe 4 are starting out this year—added to those who will be trained at Dacca, it will be at least 10 years before this province will be able to undertake the work which should have been started 20 years ago. All this is due to the impossibility of recruiting expert agricultural staff. Sir, I know how difficult it is to recruit such staff, since in my own business I have had occasions to look for agricultural graduates and people trained in agriculture and found it almost impossible to obtain them. I would recommend that the college should be pushed on as quickly as possible, and I am afraid there is reason to believe that as much activity as was necessary has not been shown in getting this college started. Admittedly, there are increased difficulties now, but the senior staff for that college should have been engaged a year ago to collect material, prepare lectures and get the laboratories into order to deal with students they are expected to instruct. If the college is going to start this year, then it will start under an initial handicap which I am afraid it will be difficult to remove.

After 10 years, Sir, when a properly equipped and adequate staff is available, it should be possible to carry out the agricultural work in this province which I have already mentioned and which is so very necessary; and upon these men when they are available should be placed in addition the duties of rural reconstruction. The Agricultural Department assistants are the best people to carry rural reconstruction ideas into every village which they have to visit in the course of their ordinary duties. Even now much could be done in the way of instructional work by issuing instructional leaflets which in this province I still regard as lamentably deficient. In this respect, however, I have heard so much criticism regarding the inefficiency and uselessness of many members of the Agricultural Department that it is only fair to say that in my opinion the numbers are so small compared with large amount of work they are expected to do that there is cause for astonishment more in what they have done than in what they have not.

Babu PREMHARI BARMA: Sir, I support the motion moved by my friend Mr. Waliur Rahman for the fixation of a minimum price of jute at Rs. 10 per maund. Sir, during the passing of the Jute Regulation Bill by this House during this session, the Hon'ble Minister said that Government could not go into the question of fixing the minimum price of jute as the report of the Jute Enquiry Committee was not submitted by the time the Bill was prepared. Now the Jute Enquiry Committee has submitted its report and has also recommended that it is possible and practicable that a minimum price of jute can be fixed. The Jute Enquiry Committee came to this conclusion after considering the various aspects of the question of fixing the minimum price. In its report, the Committee has also stated the reasons and the grounds for expressing its opinion in favour of fixing the minimum price of jute. The only discordant note which was struck was the note of dissent by 4 members, that is, by Mr. Fawcus who was the Chairman of the Committee, Mr. I. G. Kennedy, Mr. W. A. M. Walker and Mr. D. L. Mazumdar who was the Secretary of the Committee. There were 24 members on the Committee. Of these 24 members, only 4 gentlemen struck a discordant note and they said that it was not practicable and possible to fix the minimum price of jute. They further said that if a minimum price were fixed, then it would be harmful to the agriculturists. But I beg to submit that if a minimum price of jute is fixed, then it will not be harmful to the agriculturists of Bengal but it will be harmful to the mill-owners and the consumers of raw jute. So, on this apprehension they gave this opinion. Sir, we all know that jute is the only crop from which the peasants of Bengal get money and the wealth of Bengal depends upon this jute crop. Therefore it is necessary—and this question has been raised at various times—that Government should take immediate steps to fix the

minimum price of jute. We hope that Government will not say that it is not possible and not practicable to do so. The Jute Enquiry Committee has gone into the various aspects of this question and has come to the conclusion that it is possible and practicable. Therefore, I think that it will not be difficult for the Hon'ble Minister to accept this motion. With these few words, I support the motion moved by Mr. Waliur Rahman.

Mr. BANKU BEHARI MANDAL: Sir, Government are trying to ameliorate the conditions of the people of Bengal in many respects, but I am afraid the Agricultural Department has not been able to do any real good to them. Now, Sir, all the members of Eastern Bengal are trying for the fixation of minimum price of jute but no one is trying for the fixation of minimum price of paddy. You know, Sir, that paddy is as valuable to the people of Western Bengal as jute is for the people of Eastern Bengal. In most of the districts of Western Bengal, viz., Bankura, Burdwan, Birbhum, etc., paddy is the main food crop of the people. Sir, the condition of the soil is very bad and there are no facilities for irrigation. Throughout the year there is only one crop and that is paddy. In the case of Eastern Bengal more than one crop is grown but in Western Bengal only one crop is grown and the cultivator has to meet the expenses of his family and the cost of cultivation by selling paddy as he has no other means of defraying his expenses. If the price of paddy is very low, then it becomes very difficult for him to maintain himself and his family. He has always to incur debts now and then. The rent of the lands in Western Bengal is very high. So after paying the rent and meeting the expenses of cultivation, the cultivator has scarcely anything to maintain his family. So, it is absolutely necessary that the price of paddy should be fixed just as the Government is trying to fix the price of jute. I propose, Sir, that at least Rs. 2-8-0 per maund should be fixed as the price of paddy.

The Hon'ble Mr. TAMIZUDDIN KHAN: Mr. Speaker, Sir, I am thankful to my honourable friends who have given certain constructive and useful suggestions. In this respect, I think, I am particularly happy, because so far as to-day's debate is concerned, there was a marked absence of that acrimonious spirit which so often evinces itself on the floor of this House.

Mr. SURENDRA NATH BISWAS: Because of last night's heavy dinner.

Mr. M. SHAMSUDDIN AHMED: Because of the expectation of an equally good dinner to-night. (Laughter.)

The Hon'ble Mr. TAMIZUDDIN KHAN: So far as the detailed criticisms are concerned, all that I want to say is this that I shall take note of them and try to do whatever is possible in the light of the suggestions made. I do not like to deal with them in detail in reply, because I think I shall not have sufficient time to do so. But so far as certain broad questions are concerned, I want to direct my reply to these mainly. The debate was initiated by my friend Mr. Upendra Nath Burman and he raised the question of pasture land. That was the main thing that he dwelt upon. Sir, this question has been referred to and also discussed in this House very often and every one knows what the Government policy is in that respect. Every one is aware of the fact that there is very great pressure of population on the soil and on account of that there has been such fragmentation of the holdings that the problem has become very difficult of solution. That being so, Sir, it is seriously to be considered whether we can go back to the old days of pasture lands when there was not so much pressure on the land, when population was sparse and land was plenty. I am afraid, Sir, we can no longer go back to those days unless by some miracle or by some devastation of nature the population of Bengal again dwindles down...(Mr. SURENDRA NATH BISWAS: Why not divert the agriculturists to other occupations?) Or I may say unless the population is diverted, as my friend Mr. Surendra Nath Biswas says, from the soil to other avocations of life. But that is a large and somewhat different question, with which it will be futile for me to deal in connection with this debate. In view of the circumstances prevailing in Bengal the policy that this Government is following in respect of supplying proper fodder to the cattle of the province is this that the production of fodder crops should be encouraged. We cannot provide our cultivators with sufficient pasture lands for the maintenance of their cattle. That has become an impracticable proposition. I pointed out on the floor of the House once before that an acre of land under Napier grass can maintain 10 bullocks whereas an acre of pasture land cannot even maintain one bullock. That is the situation. Therefore if you speak of Bengal as a whole the proposition that pasture land should be provided for the cattle population of Bengal is an impracticable proposition; but there may be areas where there may still be some scope for providing pasture lands and my friend has particularly referred to his own place and to the Duars. That question may be examined and if possible something may be done in that direction. In dealing with that question, my friend also raised other questions the sum-total of which comes to this that Duars should be developed. He referred to all the problems of the Duars. Sir, it is not my business here nor is it possible for my department to deal with all the ills that the Duars suffer from. Therefore, I think, my friend will mostly look to private initiative so far as the development of the Duars is concerned and also to other departments of the Government concerned.

Then, my friend, Mr. Waliur Rahman, raised another very important question, namely, the fixation of the minimum price of jute at a sum not less than Rs. 10. There are other motions which recommend that the price should be fixed at Rs. 10. Sir, in this connection, my friend, Mr. Premhari Barman, has also reminded me that the Jute Committee also recommended the fixation of a minimum price. His insinuation is that as the Committee was appointed by Government why should not Government accept the recommendation of that Committee. But, Sir, my friend conveniently forgets that the Committee at the same time recommended that jute should be regulated. They recommended fixation of minimum price together with the regulation of the crop. This is a thing which is very often overlooked by many honourable friends in this House. So far as the current year is concerned, all honourable members know that they have been responsible for inducing the Government to give up the idea of regulating the coming crop. As regulation has been given up so far as the current year is concerned, the question has become very difficult ..(Mr. SURENDRA NATH BISWAS: Then how to save the agriculturists?) How to save the agriculturists that is a question which ought to have been answered by my honourable friend himself before he recommended the withdrawal of the Jute Ordinance. Every one ought to have considered the question before they recommended that there should be no regulation of the production of jute for the current year. Now having recommended the withdrawal of the proposal for regulation so far as the current year's crop is concerned, my friends have almost—I do not say, altogether—given up the case for the fixation of a minimum price so far as the coming year's crop is concerned. (Cries of "No", "No" from the Opposition Benches.) Those who want that a minimum price should be fixed——

Mr. WALIUR RAHMAN: You have accepted the policy by fixing up the rate.

Mr. SPEAKER: I am sorry I cannot allow any interruption, because there are only five minutes more left.

The Hon'ble Mr. TAMIZUDDIN KHAN: Sir, I cannot supply those of my friends who are deliberately trying not to look at the thing in its true perspective with the comprehension of this problem. If there is unrestricted production, if the market is flooded with jute, if the production is far in excess of the demand, in that case how can such a price be fixed as will be beneficial to the people? It is very difficult—I do not say it is impossible,—we do not know as yet what will happen. In spite of the withdrawal of the Jute Ordinance it may be that on account of the weather factor and other circumstances next year's

production may not be as heavy as we are apprehending. If the next year's production is not as heavy as we are apprehending it may be possible to fix a minimum price. But supposing there is a bumper crop and the production is far in excess of the demand, in that case it will be impossible to fix the price at or near about Rs. 10. Of course, any minimum price may be fixed. I said that last year also. If you say, "Fix any minimum price you like", that can be done to-day. If you say, "Fix at two rupees", that can be done. But that will not serve your purpose, that will not serve the purpose of anybody. We must fix such a price as may give a reasonable return to our cultivators. And I say, Sir, that the withdrawal of the proposal to regulate the coming crop has put the Government to a very difficult situation. As I said the other day, we shall watch the situation and Government will not shirk its duty in this respect. Government will be prepared to do all that is possible under the very difficult circumstances to which it has been put by the withdrawal of the proposal to regulate the crop. Along with this, Sir, there is also the question of grading. If we have to fix a minimum price, we shall have to see for what grade of jute we should fix a minimum price. That is also a question that bristles with difficulty and requires a good deal of consideration. However, Sir, as I have very little time at my disposal, I think it will not be proper for me to try to speak in detail on this particular item.

My friend Mr. Abu Hossain Sarkar in a very friendly spirit raised the question of cultivation of tobacco for cigarette and *biri* manufacture. He seems to think that the Government has been sleeping over the matter altogether. This is a very important question. Tobacco is one of the important crops of Bengal. Therefore, no one should think that Government has hitherto given no thought whatsoever to this question. Sir, I may give a brief account to my honourable friends of what the Government has been doing in this respect. The department took up the cultivation of *biri* tobacco in Bengal and tried it in the various Government farms and found that *biri* tobacco of good quality could be grown in many of them. In order to introduce its cultivation amongst the tobacco growers in Bengal seeds were and are being distributed annually amongst them through the District Agricultural Officers and the methods of curing explained to them. The greatest difficulty in the way of its adoption by the growers is to find a market for the disposal of the produce. The stockists in Bengal deal mainly in Guzerat stuff and command a monopolised market and cannot be induced to stock Bengal produce. Our attempt in these directions did not meet with much success.

Then as regards cigarette tobacco, the cultivation and curing of Virginian type of cigarette tobacco in Bengal were undertaken at the initiative of the Imperial Council of Agricultural Research with a view to find out its possibilities of production here. Three varieties, viz.,

Adcock, Harisson Special and Pusa Hybrid 142 were recommended and tried mainly at the Government Tobacco Farm, Rangpur. It was found that these varieties grow well and Harrison Special was found to be the best as regards yield and quality of the final product. An average sample of the cured product was valued by Messrs. Indian Leaf Tobacco Development Company and National Tobacco Company, Calcutta, at 5 as. to 5 as. 6 p. per pound. Curing is a delicate art requiring skill and experience to get the best results. Much work has yet to be done for the development of a suitable technique for the successful and economic curing of tobacco.

The adoption of the cultivation of *biri* and cigarette tobacco by the tobacco growers is not purely an agricultural problem. It is intimately bound up with the question of marketing for which organised direction and control are necessary.

Sir, I have read out to the House a brief account of what has been done This is a question which we are still considering and no stone will be left unturned to do all that is possible.

Then, Sir, my friend Mr. Haripada Chatterjee in the course of a very entertaining speech, I should say, referred to the absolute futility of the introduction of stud bulls in Bengal and he also referred to many other things from which it seems to me that he has got very meagre information as to the actual working of the department and as to what use has been made of the stud bulls in Bengal. Thousands of cows and bullocks are now the progeny of the stud bulls that have been brought from outside in pursuance of the scheme that is now under operation and it is absolute ignorance that makes my friend assert that this scheme has not been of any use whatsoever to Bengal. He again complains that banana used to be exported to the Punjab from Bengal in former days but we see that nothing is being exported now. Sir, may I ask, was banana exported formerly to other provinces on account of the good offices of the Agriculture Department? Was there an Agriculture Department in those days? It was mostly on account of private initiative that this was done. It is up to my friends like Mr. Chatterjee and others to take initiative in these matters. If the young educated people of Bengal won't look to the development of Bengal so far as these matters are concerned, it will be futile to look up to Government for every help and for every step that should be taken for the improvement of the country.

I oppose all the amendments.

The motion of Mr. Upendra Nath Barman that the demand of Rs. 16,68,000 under the head "40—Agriculture" be reduced by Rs. 100 was then put and lost.

The motion of Mr. Abu Hossain Sarkar that the demand of Rs. 16,68,000 under the head "40—Agriculture" be reduced by Rs. 100 was then put and lost.

The motion of Mr. Haripada Chattopadhyay that the demand of Rs. 16,68,000 under the head "40—Agriculture" be reduced by Rs. 100 was then put and lost.

The motion of Mr. Waliur Rahman that the demand for a sum of Rs. 16,68,000 for expenditure under the head "40—Agriculture" be reduced by Rs. 100 was then put and a division taken with the following result:—

AYES—69.

Abdul Wahed, Maulvi.
Abu Hossain Sarkar, Maulvi.
Abul Fazl, Mr. Md.
Ahmed Khan, Mr. Syed.
Azimuddin Ahmed, Mr.
Banerji, Mr. P.
Banerjee, Mr. Pramatha Nath.
Banerji, Mr. Satya Priya.
Banerjee, Mr. Sibnath.
Banerjee, Dr. Suresh Chandra.
Barma, Babu Promhari.
Barman, Babu Shyama Prosad.
Barman, Babu Upendra Nath.
Basu, Mr. Santosh Kumar.
Bhowmik, Dr. Gobinda Chandra.
Biswas, Mr. Surendra Nath.
Bose, Mr. Sarat Chandra.
Chakraborty, Mr. Jatindra Nath.
Chakraborty, Babu Narendra Narayan.
Chattopadhyay, Mr. Haripada.
Choudhuri, Rai Harendra Nath.
Das, Babu Mahim Chandra.
Das, Mr. Monmohan.
Das Gupta, Babu Khagendra Nath.
Datta, Mr. Dhirendra Nath.
Deiui, Mr. Narendra Nath.
Dutta, Mr. Sukumar.
Dutta Mazumdar, Mr. Nikhsendu.
Emdadul Haque, Kazi.
Ganguly, Mr. Pratul Chandra.
Ghose, Mr. Atul Krishna.
Giasuddin Ahmed, Mr.
Gupta, Mr. Jogesh Chandra.
Gupta, Mr. J. N.
Hasan Ali Chowdhury, Mr. Syed.
Jonab Ali Majumdar, Maulvi.
Khan, Mr. Debendra Lall.
Kumar, Mr. Atul Chandra.
Kundu, Mr. Nishitha Nath.
Maiti, Mr. Nikunja Behari.
Maitra, Mr. Surendra Mohan.
Maji, Mr. Adwaita Kumar.
Majumdar, Mrs. Hemaprova.
Mal, Mr. Iswar Chandra.
Mandal, Mr. Amrita Lal.
Mandal, Mr. Jogendra Nath.
Mandal, Mr. Krishna Prasad.
Maniruzzaman Islamabadi, Maulana Md.
Maqbul Hosain, Mr.
Mukherji, Dr. Sharat Chandra.
Mullick, Srijut Ashutosh.
Naskar, Mr. Hem Chandra.
Pain, Mr. Baroda Prosanna.
Ramizuddin Ahmed, Mr.
Ray Choudhury, Mr. Birendra Kishore.
Roy, Mr. Charu Chandra.
Roy, Mr. Kamakrishna.
Roy, Mr. Kiran Sankar.
Roy, Mr. Manmatha Nath.
Sanyal, Dr. Nalinaksha.
Sanyal, Mr. Sasanka Sekhar.
Sen, Rai Bahadur Jogesh Chandra.
Shahedali, Mr.
Shamsuddin Ahmed, Mr. M.
Singha, Babu Kshetra Nath.
Sinha, Srijut Maniendra Bhusan.
Sur, Mr. Narendra Kumar.
Waliur Rahman, Maulvi.
Zaman, Mr. A. M. A.

NOES—37.

Abdul Aziz, Maulana Md.
Abdul Hafiz, Mr. Mirza.
Abdul Hafiz, Mr. Sha.
Abdul Hakeem, Mr.
Abdul Hakim Vikramperi, Maulvi Md.
Abdul Hamid, Mr. A. M.
Abdul Karim, Mr.
Abdul Latif Biswas, Maulvi.
Abdul Majid, Mr. Syed.
Abdul Wahab Khan, Mr.
Abdulla-al Mahmood, Mr.
Abdur Rahman, Khan Bahadur A. F. M.
Abdur Rahman Siddiqi, Mr.
Abdur Rashid Mahmood, Mr.
Abdur Rashood, Maulvi Md.
Abdur Rauf, Khan Sahib Maulvi S.

Abdur Razzak, Maulvi.
Abidur Reza Chowdhury, Khan Bahadur Maulvi.
Abul Hossain Ahmed, Mr.
Abul Qasem, Maulvi.
Aftab Ali, Mr.
Aftab Hossain Jeardar, Maulvi.
Ahmed Ali Mridha, Maulvi.
Ahmed Hossain, Mr.
Alfazuddin Ahmed, Khan Bahadur Maulvi.
Aminullah, Khan Sahib Maulvi.
Ashrafali, Mr. M.
Asiad Hossain Khan, Maulvi.
Azhar-Ali, Maulvi.
Badrudduja, Mr. Syed.
Birkmyre, Sir Henry, Bart.
Chippendale, Mr. J. W.
Das, Mr. Anukul Chandra.
Das, Rai Sahib Kirit Bhusan.
Dass, Babu Debendra Nath.
Edbar, Mr. Upendranath.
Fazlul Huq, the Hon'ble Mr. A. I
Fazlul Quadir, Khan Bahadur Maulvi.
Fazlur Rahman, Mr. (Dacca).
Griffiths, Mr. C.
Gurung, Mr. Damber Singh.
Habibullah, the Hon'ble Nawab Bahadur K., of Dacca.
Hafizuddin Choudhuri, Maulvi.
Hamiduddin Ahmad, Khan Sahib.
Hamilton, Mr. K. A.
Hashem Ali Khan, Khan Bahadur Maulvi.
Hatemally Jamadar, Khan Sahib Maulvi.
Haywood, Mr. Rogers.
Hendry, Mr. David.
Idris Ahmed Mia, Maulvi.
Ispahani, Mr. M. A. H.
Jaimuddin Ahmed, Mr.
Kabiruddin Khan, Khan Bahadur Maulvi.
McGregor, Mr. G. G.
Mafizuddin Ahmed, Maulvi.
Maguire, Mr. L. T.
Mahtabuddin Ahmed, Khan Bahadur Maulvi.
Mandal, Mr. Banku Behari.
Mandal, Mr. Jagat Chandra.
Maniruddin Akhand, Maulvi.
Mariadin, Mr. F. J.
Masud Ali Khan Panni, Maulvi.
Mozammel Huq, Maulvi Md.
Muhammad Afzal, Khan Sahib Maulvi Syed.
Muhammad Ibrahim, Maulvi.
Muhammad Ishaque, Maulvi.
Muhammad Israil, Maulvi.
Muhammad Sulaiman, Khan Sahib Maulvi.
Mullick, the Hon'ble Mr. Mukunda Behary.
Mullick, Mr. Pulin Behary.
Musharruf Hossain, the Hon'ble Nawab, Khan Bahadur.
Mustagawsal Haque, Mr. Syed.
Nasarullah, Nawabzada K.
Nazimuddin, the Hon'ble Khwaja Sir, K.C.I.E.
Nooruddin, Mr. K.
Norton, Mr. H. R.
Raikut, the Hon'ble Mr. Prasanna Deb.
Rajibuddin Tarafdar, Maulvi.
Razaur Rahman Khan, Mr.
Roy, the Hon'ble Sir Bijoy Prasad Singh.
Roy, Mr. Patiram.
Sahabe Alam, Mr. Syed.
Sadaruddin Ahmed, Mr.
Safiruddin Ahmed, Haji.
Salim, Mr. S. A.
Sanaullah, Al-Haj Maulana Dr.
Sarkar, Babu Madhusudan.
Shahabuddin, Mr. Khwaja, C. B. E.
Shamsuddin Ahmed Khondkar, Mr.
Sirdar, Babu Litta Munda.
Suhrawardy, the Hon'ble Mr. H. S.
Stark, Mr. A. F.
Tamizuddin Khan, the Hon'ble Mr.
Tofel Ahmed Choudhury, Maulvi Haji.
Walker, Mr. W. A. M.
Whitehead, Mr. R. B.
Zahur Ahmed Choudhury, Maulvi.

The Ayes being 69 and the Noes 97, the motion was lost.

The motion of the Hon'ble Mr. Tamizuddin Khan that a sum of Rs. 16,68,000 be granted for expenditure under the head "40—Agriculture" was then put and agreed to.

(At this stage the House was adjourned till 9-30 p.m.)

(After adjournment.)

Succour for petty officers on House duty during night sessions.

Dr. NALINAKSHA SANYAL: Before we proceed with this night's business, may I suggest to you Sir, that in order to provide similar succour to those attendants and sergeants and such other officers who have to remain late on duty here you will kindly ask the Home Department to make arrangements for their dinner also——

Mr. SPEAKER: I have already made such arrangements not exactly in the same way as others have been treated but certainly in a way which will meet their case. You may rest assured Dr. Sanyal that so long as I am here the interest of the smallest and the humblest of servants here is to me as much a matter of consideration as to anybody else. As a matter of fact that question had been worrying me from the very beginning and I wanted to fix up some arrangements for this purpose.

Dr. NALINAKSHA SANYAL: Thank you, Sir.

GOVERNMENT BILLS.

The Bengal Non-Agricultural Tenancy (Temporary Provisions) Bill, 1940.

Clause 3.

[The debate on the Bengal Non-Agricultural (Temporary Provision) Bill was resumed.]

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Sir, I beg to move that for clause 3 the following clause be substituted, namely:—

"3. Notwithstanding anything contained in any other law for the time being in force, every suit and proceeding in any Court for ejectment of a non-agricultural tenant, other than a suit or proceeding for ejectment on account of the non-payment of rent by such tenant, shall be stayed for the period during which this Act continues in force:

Provided that every proceeding for delivery of possession in execution of a decree for ejectment on account of the non-payment of rent by such tenant shall be stayed if, within thirty days from the date of the decree, such tenant deposits into Court the amount of the decree together with the costs of the proceeding."

Sir, I do not think I need say anything in explanation of this amendment. It is quite clear. I propose that Bill clause 3 be substituted by the amendment that I have moved.

Mr. MD. ABUL FAZL: I beg to move that in the proviso to proposed clause 3, in line 4, in the short-notice amendment proposed by the Hon'ble Sir Bijoy Prasad Singh Roy for the word "stayed" the word "dismissed" be substituted.

I also beg to move the other motion that stands in my name:—

That in the short-notice amendment No. 1 proposed by the Hon'ble Sir Bijoy Prasad Singh Roy, in the proviso to proposed clause 3, in line 5, after the word "decree" the following be inserted, namely:—

"or such further time as the Court may allow".

Sir, the Hon'ble Minister says that "provided that every proceeding for delivery of possession in execution of a decree for ejectment on account of the non-payment of rent by such tenant shall be stayed, etc., etc.——

It means that further proceedings are contemplated. But I intend that all further proceedings should be dismissed and no further action should be taken in the matter. That is why I move my amendment No. 5.

Mr. SPEAKER: Supposing in future the Legislature decides on giving certain rights to the tenants irrespective of this matter, then why these men should suffer? I am not disallowing your amendment but only pointing out the difficulty.

Mr. MD. ABUL FAZL: As is known if the entire money is paid no proceedings can be stayed but they are dismissed. As regards my amendment No. 9 with regard to the ejectment of a particular tenant the Court should be given some power to allow the man some time to remove the house, etc., to eject the man. I submit, Sir, that some further time should be allowed by the Court.

Mr. DHIRENDRA NATH DATTA: Sir, I beg to move that in the short-notice amendment No. 1 proposed by the Hon'ble Sir Bijoy Prasad Singh Roy in the proviso to proposed clause 3, in line 4, for the word "thirty" the word "ninety" be substituted.

As 30 days is too small a period for a tenant within which to pay his rents and may cause him hardship therefore I have suggested 90 days which will give the tenant enough time to enable him to make arrangements for paying the rent. Besides in some cases the rent will be quite a considerable sum and it may not be possible for the tenant, I mean the judgment-debtor, to pay off the amount within one month.

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Sir, I oppose the amendments Nos. 5 and 6 of Mr. Md. Abul Fazl, and my grounds are these: the keynote of this Bill is staying of suits and execution proceedings pending comprehensive legislation regarding non-agricultural tenancies. This Bill confers no substantive right on the tenants.

Therefore I oppose the amendment. The whole object of this Bill is to maintain *status quo*. Now with regard to Mr. Datta's amendment No. 7 I oppose it because I think 30 days are quite enough. Under section 114 of the Transfer of Property Act the judgment-debtor can deposit the rent during the pendency of the suit and by this amendment it is proposed to give him another 30 days' time to pay the decretal amount before execution of the decree. So I think this is quite enough.

As regards Mr Abul Fazl's amendment No. 9, I do not think it necessary. So I formally oppose it.

(Mr. Speaker was going to put the amendment before the House.)

Mr. NISHITHA NATH KUNDU: Sir, I want to speak on the amendment.

Mr. SPEAKER: You may do so on the Agricultural Debtors Bill.

Mr. NISHITHA NATH KUNDU: No, no. Sir, it is a very serious matter, for in cases of decrees where days have already elapsed since the decree is passed there will be no remedy——

Mr. SPEAKER: But that is not in the Bill itself. This Bill does not contemplate anything like this. Can you show any such thing in the Bill?

Mr. NISHITHA NATH KUNDU: Sir, in general law after a decree is passed for ejectment and rent is accepted, thereafter the decree-holder waives his right to eject the tenant. That is the general law. In this legislation we are enacting something which deprives the ordinary tenants of a right which the general law gives him. If a tenant pays rent and the rent is accepted by the landlord he waives the right to execute the decree. But by this amendment we are taking away that right which is given by the ordinary law.

Mr. SPEAKER: Well, you are now too late.

Mr. NISHITHA NATH KUNDU: Then I will oppose the original motion of the Revenue Minister.

Mr. SPEAKER: You can do that at the third reading stage. I will now put the amendments to the House.

The motion of Mr. Md. Abul Fazl that in short-notice amendment No. 1 proposed by the Hon'ble Sir Bijoy Prasad Singh Roy in the proviso to proposed clause 3, in line 4, for the word "stayed" the word "dismissed" be substituted, was then put and lost.

The motion of Mr. Dhirendra Nath Dutta that in short-notice amendment No. 1 proposed by the Hon'ble Sir Bijoy Prosad Singh Roy, in the proviso to proposed clause 3, in line 4, for the word "thirty" the word "ninety" be substituted, was then put and lost.

The motion of Mr. Md. Abul Fazl that in short-notice amendment No. 1 proposed by the Hon'ble Sir Bijoy Prasad Singh Roy, in the proviso to proposed clause 3, in line 5, after the word "decree" the following be inserted, namely:—

"or such further time as the Court may allow,"

was then put and lost.

Then the motion of the Hon'ble Sir Bijoy Prasad Singh Roy that for clause 3, the following clause be substituted, namely:—

"3. Notwithstanding anything contained in any other law for the time being in force, every suit and proceeding in any court for ejectment of a non-agricultural tenant, other than a suit or proceeding for ejectment on account of the non-payment of rent by such tenant, shall be stayed for the period during which this Act continues in force:

Provided that every proceeding for delivery of possession in execution of a decree for ejectment on account of the non-payment of rent by such tenant shall be stayed if, within thirty days from the date of the decree, such tenant deposits into Court the amount of the decree together with the costs of the proceeding,"

was then put and agreed to.

Mr. SPEAKER: All other amendments to the original clause 3 fall through.

The question that clause 3, as amended, stand part of the Bill, was then put and agreed to.

Preamble.

Mr. SPEAKER: In view of the fact that the Bill has been passed amendments to the Preamble do not arise.

The question that the Preamble stand part of the Bill was then put and agreed to.

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Sir, I beg to move that the Bengal Non-Agricultural Tenancy (Temporary Provisions) Bill, as settled in the Assembly, be passed.

Mr. NISHITHA NATH KUNDU: Sir, this Bill is like a Dead Sea apple, glossy without but rotten within. After many days, the Hon'ble the Revenue Minister has produced a horse's egg. He has denied the right that is given by the ordinary law. He has taken that right away by this Bill. Government were really responsible for rousing the landlords from their sleep, if I may be permitted to describe them in that way, and for the institution of so many suits and the serving of notices by landlords on their tenants. The first action of Government was the appointment of the Enquiry Committee. From then, as has been admitted in the communication issued by the Government in the month of August, 1939, the landlords were indiscriminately issuing notices for ejectment and instituting suits apprehending that Government was going to enact a legislation in this regard. So, Government were responsible for these ejectments. Now, Sir, there have been cases where ejectment decrees were passed in 1939. For these ejectments Government have a moral responsibility. After rousing the landlords from their sleep and giving the tenants all this trouble, Government are shirking their duty and are enacting a legislation which has given nothing to the tenants whatsoever. Now, clause 3 is a very important clause. As it came out from the Select Committee, it was a very bad clause and was very badly drafted. It was substituted by another clause, the first part of which was certainly an improvement. But I must tell the House that the staying of decrees for ejectment on account of non-payment of rent has been a very bad substitute for the Select Committee amendment. The cause of action for ejectment arose from non-payment of rent. Now when the tenant pays down the rent, the cause of action disappears. Still the Damocles's sword will be hanging over his head for a period of two years. Really we all know—at least those who are practising lawyers know—that if any landlord institutes a suit for ejectment on account of non-payment of rent and when the case is pending or even after the decree is passed, if the landlord accepts the rent, then certainly he waives his right to execute the decree. Even in the case of sale, if the judgment-debtor pays the decretal amount, the sale will not be confirmed. But here, in this case, it is a strange law because even if the amount is paid within 30 days before any execution proceedings are taken, the case will not be dismissed but will be stayed. I know of many cases in which 30 days from the date of the decree have already passed. So, the net result of this amendment will be that innumerable tenants will be ejected as soon as this Bill is passed. I therefore cannot whole-heartedly support the motion that the Bill be passed as I think that several of its clauses are very unsatisfactory.

Mr. DHIRENDRA NATH DATTA: Sir, I am not going to make any long speech. We on this side of the House have been demanding

a legislation which will confer certain rights upon non-agricultural tenants. We are fully aware that the conditions of non-agricultural tenants are very precarious. At present, a tenant can be ejected on 15 days' notice. A tenancy of 100 years can be terminated by giving 15 days' notice. So, what is necessary is the conferment of certain rights upon non-agricultural tenants. But in this legislation what has been done is that decrees in certain suits have been stayed. I welcome this legislation in a sense, but what is necessary is, as I have said, the conferment of certain rights upon non-agricultural tenants. We want that this legislation should be in operation till the right is conferred on non-agricultural tenants by a different legislation. That is the reason why we wanted in the Select Committee that there should be no time-limit imposed, but Government did not yield to our request. Though in this Bill there is a time-limit of two years, I think that this will have no effect. But I hope and trust that Government in the meantime would introduce a special legislation for conferring certain rights upon non-agricultural tenants. I want to see such a legislation introduced in the next session of the Assembly. Otherwise this legislation will have no effect. With these few words I welcome this legislation but I appeal to Government to come forward with another Bill conferring certain rights upon non-agricultural tenants.

Dr. SURESH CHANDRA BANERJEE: Sir, on behalf of the labourers in Calcutta and its suburbs I must express my strong protest against this legislation because it will do the greatest harm to the poor labourers in these places. I know already hundreds of ejectment suits have been filed against them and in the course of two years with the apprehension of legislation I do not know how many hundreds will be filed. Almost all the tenants in Calcutta and its suburbs will be practically driven away. So, on behalf of the labourers of Calcutta and suburbs, as their representative, I must express my strong condemnation of this Bill.

Mr. C. MORGAN: Sir, I should like to take this opportunity of congratulating the Hon'ble Minister on his having been able to bring back this Bill more or less to its original form. It is particularly pleasing to note that, because I should have had to oppose on behalf of my party various parts of the Bill as it emerged from the Select Committee, had the Hon'ble Minister not been able to bring forward other amendments and to accept my amendment and to get the House to agree to the same, I have therefore much pleasure in supporting his motion that the Bill be passed.

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Sir, as I had the privilege of stating at the beginning, this Bill is merely a temporary

provision to give relief and protection to the tenants of non-agricultural areas against ejectment. Though a time-limit has been put into the Bill, Government propose to introduce a measure before two years and to set the Bill passed into law. This Bill is not a permanent measure and it does not seek to confer any substantive right on the tenants of non-agricultural areas but merely to give them protection against eviction-at-will. I hope the object with which the Bill has been introduced will be fulfilled. With these words, I commend my motion to the acceptance of the House.

Mr. SPEAKER: Mr. Suhrawardy, do you want to reply to the point raised by Dr. Banerjee?

The Hon'ble Mr. H. S. SUHRAWARDY: No, Sir.

Dr. SURESH CHANDRA BANERJEE: Sir, I would request the Hon'ble Minister for Labour to speak a few words in reply to what I said.

The Hon'ble Mr. H. S. SUHRAWARDY: Sir, it is not only the labourers in Calcutta, but the ordinary hut-dwellers in Calcutta who will be affected by notices of ejectment and by suits. We are not aware that so many hundreds of cases have been filed. If this is a fact and is brought to the notice of Government, we will not allow this to pass. Government will be bound to take steps if they find that owing to Calcutta being excluded the landlords are taking advantage of that position to turn out the hut tenants from their holdings.

Mr. NISHITHA NATH KUNDU: Sir, may I say a few words?

Mr. SPEAKER: I am sorry, Mr. Kundu, I cannot allow any more speech. As a matter of fact, at the persistent demand of Dr. Banerjee I allowed Mr. Suhrawardy, as a special case, to speak a few words, after the close of the debate.

The motion that the Bengal Non-Agricultural Tenancy (Temporary Provisions) Bill, 1940, as settled in the Assembly, be passed, was then put and agreed to.

The Bengal Agricultural Debtors (Amendment) Bill, 1939, as passed with amendments by the Bengal Legislative Council.

Mr. SPEAKER: We have now got the Bengal Agricultural Debtors (Amendment) Bill, 1939, as passed with amendments by the Bengal Legislative Council, before the House. Mr. Mullick, you may move your motion.

The Hon'ble Mr. MUKUNDA BEHARY MULLICK: I beg to move that the amendments made by the Bengal Legislative Council to the Bengal Agricultural Debtors (Amendment) Bill, 1939, be taken into consideration.

The motion was put and agreed to.

Mr. SANTOSH KUMAR BASU: Sir, with your permission, I am moving amendment No. 1 which stands in the name of Rai Harendra Nath Chaudhuri.

Sir, I beg to move that in clause 2(*1*), in proposed clause (*6A*) of section 2 of the Act, in lines 3 to 5, the words "and includes any court exercising appellate or revisional jurisdiction over any such court" be omitted.

Mr. SPEAKER: Are you moving amendment No. 2 also?

Mr. SANTOSH KUMAR BASU: Amendment No. 1 is comprehensive enough; so I do not propose to move amendment No. 2.

Sir, the reasons why I am moving this amendment are these. I find that in the old Act of 1935, there was no definition of the expression "Civil Court" and that gave rise to a good deal of litigation. One of these cases came up before a Special Bench of the Calcutta High Court and formed the subject matter of an elaborate decision reported in I. L. R. 1939 Calcutta, Vol. II, page 93. There it was pointed out that the expression "Civil Court" which occurs in several sections of the Bengal Agricultural Debtors Act of 1935 did not include the High Court. That was the purport of that decision. It appears that when this Bill went up to the Legislative Council, the opportunity was taken by the Government to introduce a definition of the expression "Civil Court" and that has been done by enacting clause (*6.1*) in section 2 of the Act. This is how it runs—

After clause (*6*) the following clause be inserted, namely:—

> "(*6.1*) 'Civil Court' means a Civil Court within the meaning of the Bengal, Agra and Assam Civil Courts Act, 1887, and includes any Court exercising appellate or revisional jurisdiction over any such Court".

Now, Sir, as I read it, the expression "Civil Court" is intended to include any Court exercising appellate or revisional jurisdiction over any such Court in Bengal. Now, any Court exercising appellate or revisional jurisdiction will certainly include the High Court. No distinction is sought to be made in this definition between the High Court in the exercise of its appellate or revisional jurisdiction and the

High Court exercising its original jurisdiction. The High Court itself is brought within the purview of the expression "Civil Court" as defined here. Any Court exercising appellate or revisional jurisdiction may also be a Court exercising original jurisdiction and in the definition of "Civil Court" no distinction has been made between the two jurisdictions of the High Court. In other words, although "Civil Court" is defined as a Court exercising appellate or revisional jurisdiction, the entire Court is brought within this definition including its original side. It is the Court that is being defined here and not the particular jurisdiction of the Court to which this definition is sought to be confined. In other words, in trying to include a Court exercising appellate or revisional jurisdiction, you are also including that Court exercising original jurisdiction because it is one entire Court exercising different jurisdictions; although you describe that Court as a Court exercising a certain jurisdiction, thereby you include the Court in all its jurisdictions. The word "exercising" means "which exercises". Any Court which exercises appellate or revisional jurisdiction is also a Court that exercises original jurisdiction as well. I submit, Sir, that this ambiguity ought not to be allowed to remain in this definition——

Mr. SPEAKER: I do not understand your point quite clearly. Do you mean to say that the definition as it stands amended includes the High Court?

Mr. SANTOSH KUMAR BASU: Yes, Sir. I think the Hon'ble Minister himself will probably admit that.

Mr. SPEAKER: But if you look to the Civil Courts Act, you will find that a Civil Court within the meaning of the Bengal, Agra and Assam Civil Courts Act, 1887, means a District Judge's Court, an Additional Judge's Court and so on, but it does not mean a High Court.

Mr. SANTOSH KUMAR BASU: If the definition of "Civil Court" had been left just what it is in the Bengal, Agra and Assam Civil Courts Act, certainly it would not extend to the High Court. But the definition as embodied in this amendment made by the Bengal Legislative Council does not stop short there, but it proceeds further and includes any Court which exercises appellate or revisional jurisdiction over any Civil Court, as defined in the Bengal, Agra and Assam Civil Courts Act. Therefore, High Court also in so far as it exercises appellate or revisional jurisdiction is brought within the purview of the definition of the "Civil Court". But, Sir, the difficulty which it

creates is this. When it extends the definition of "Civil Court" to the High Court, does it confine that definition to the appellate and revisional jurisdiction of the High Court?

Mr. SPEAKER: Naturally. After all according to your interpretation High Court cannot come under the first part. Therefore High Court comes under the second part if it includes appellate or revisional jurisdiction.

Mr. SANTOSH KUMAR BASU: Yes. The word "exercising" is entirely misleading. "Exercising" means "which exercises." It does not mean "in the exercise of its appellate or revisional jurisdiction".

Mr. SPEAKER: I have not learned the English language to that extent to understand the difficulty.

Mr. SANTOSH KUMAR BASU: Well Sir, these ambiguities were stressed by the Hon'ble Sir Harold Derbyshire, Chief Justice, in his judgment in the case I have referred to. He says—

"There is no definition of "Civil Court" in the Act, and it is noteworthy that although Civil Courts and revenue courts are mentioned in the Bengal Agricultural Debtors Act the High Court is not mentioned. If the words "Civil Court" include the High Court it is clear that the jurisdiction of the High Court to hear and determine suits, is interfered with by sections 33 and 34, and to execute its own decrees by section 35 of the Act. Again, if such be the interpretation of the words "Civil Court", a decree of the High Court would, under section 36, be treated as a nullity in certain events. If such indeed were the case the statute ought to state it clearly and definitely".

Now, that clarity and precision are again wanting in this clause as it has been enacted. I would submit, Sir, that if the Government do consider it necessary to remove all ambiguity with regard to this matter they ought to frame this clause in such a way as to put the matter beyond all doubt so that the original side of the High Court may not by any interpretation whatsoever be brought within the ambit of the definition.

Mr. SPEAKER: Does it serve your purpose if instead of "exercising" the words "in exercise of" are used before "appellate or revisional jurisdiction over any such court"?

Mr. SANTOSH KUMAR BASU: "Exercising" means "which exercises". That includes the court in all its jurisdiction.

Mr. SPEAKER: I understand it means any court which has got appellate power and it might, therefore, be original jurisdiction if it exercises that power; but does the High Court in its original jurisdiction exercise appellate and revisional powers?

Mr. SANTOSH KUMAR BASU: It does, because the revision of orders and decrees of the Presidency Small Causes Court is done by the High Court in its original jurisdiction. I can quite understand the Hon'ble Minister's intention of applying the Act to those appeals which are pending in the High Court so that the decrees of Subordinate Courts which are then pending in the appellate side of the Court may be brought within the purview of the Act. I can quite understand that. Supposing a particular decree is now pending in the High Court in its appellate or revisional jurisdiction. It may be necessary to restrain the execution of such a decree when an application is pending before a Debt Settlement Board, but that does not mean that the decree of the High Court in its Original Side should also be brought within the ambit of this Act. I do not think, Sir, the Hon'ble Minister desires or Government desire that the Original Side decrees also should be interfered with. Probably that is not the intention, but the wording of this section as it is drafted is clearly open to that mis-interpretation and in order that such mis-interpretation may not be possible, as is desired by the Chief Justice of Bengal in that well-known judgment, I would submit that it is necessary that the appropriate words should be put and that ambiguous word "exercising" should be removed.

Mr. SPEAKER: Do you mean to say that the language as it stands will include the High Court in the exercise of its appellate and revisional jurisdiction?

Mr. SANTOSH KUMAR BASU: Yes, Sir, it will.

Mr. SPEAKER: You mean to say that it might or might not include the original jurisdiction in the exercise of its revisional power?

Mr. SANTOSH KUMAR BASU: I submit, it will include.

Mr. SPEAKER: Well, what will be the difficulty then?

Mr. SANTOSH KUMAR BASU: Well, I do not think it was the intention of the Government to do that.

Mr. SPEAKER: May I know what will be difficulty if that is done?

Mr. SANTOSH KUMAR BASU: It will run counter to that decision of the High Court and also to what has been provided in the English Statute. Because you will find the Chief Justice goes on to say, "The jurisdiction of this Court to hear and determine suits and to execute its decrees is of long-standing." Section 13 of 13 Geo. III, C. 63 (Regulating Act of 1773) gave the Supreme Court "full power and authority to exercise and perform all civil, etc., etc."

Mr. SPEAKER: Is not that modified by the constitution (Government of India) Act? Under the Government of India Act probably it is now open to the Legislature to legislate with regard to the High Court.

Mr. SANTOSH KUMAR BASU: Even in its original jurisdiction?

Mr. SPEAKER: That is provided in section 107 and other provisions.

Mr. SANTOSH KUMAR BASU: But then the sections relating to civil courts occurring in the Original Act of 1935 will have to be re-enacted in the amending Act, now that the Legislature has acquired the power to legislate about the High Court which will now be included in the definition of "Civil Court." Then, Sir, it opens a very large question of policy, whether in view of the admitted intention of the Bengal Agricultural Debtors Act to give relief to the agriculturists of the mufassil the High Court decrees should also be touched and interfered with.

Mr. SPEAKER: But supposing a man who is an agricultural debtor lives in Calcutta and a suit is instituted against him in the Small Cause Court and it comes to the revisional jurisdiction, is it your contention that it should not be left out?

Mr. SANTOSH KUMAR BASU: In one or two cases it may be. On the other hand you will find that big Marwari merchants investing money in Calcutta by way of mortgage of house property, if they happen to have a little bit of land, somewhere in the district of Jalpaiguri pose as agriculturists and seek to take advantage of this Act. Such a case gave rise to the decision in the case of Narsingdas Tansukdas *vs.* Choge Mull with which I am dealing. I do not know if it is the intention of the Government to include the original side decrees. If that is so, let them come out and say so in express terms.

Let there be no vagueness and ambiguity as is evident in the amendment made by the Council. I do not think the Hon'ble Minister desires to go so far as that. If he does, let him clearly say so in the Act, and everybody will understand what the position is.

The Hon'ble Mr. MUKUNDA BEHARY MULLICK: Sir, I am afraid my honourable friend, Mr. Santosh Kumar Basu has very ingeniously put an interpretation upon this amendment which we never intended. The expression Civil Court, as we have sought to define it, has been taken from the Act of 1887 and whatever may or may not be said with regard to the position of the High Court, I submit, Sir, the expression that follows in the third, fourth and fifth lines of this amendment in the Bill practically solves the matter. For it says and includes any court exercising appellate or revisional jurisdiction over any such civil court. We have therefore to take the second clause in connection with the first. When we say that the "Civil Court" as used in the Act has not been defined and when we ask what a Civil Court means, we have got to give an explanation and the explanation that we have given has been taken from the Civil Courts Act of 1887.

Sir, the Act, or rather the Bill, when I introduced it in this House, was explained to be in the nature of solving some of the practical difficulties in the working of the existing Act of 1935. Now, Sir, it was pointed out by the Legislative Council, and I submit very rightly, that this difficulty was not removed, viz., when we used the term "Civil Court" and that term is used in the existing Act,—it is not defined as to what the civil court means. The result has been that when a case is instituted before a Board it has appeared in many instances that some of the creditors who ought to have been brought before the Board could not be so done because in some shape or other, either some of the cases were found to be pending before the District Judge or the Subordinate Judge in appeal or a portion of the case was found to be pending before the High Court in revision. It is just to bring all these cases before the Board in order that we may have a complete settlement of the poor debtors' debts in reference to all his creditors that we have thought it fit to put in this amendment.

Sir, in view of the further steps that Government have taken in pursuance of section 55 sub-section (*2*) of the existing Act whereby the maximum limit of the amount that can be dealt with by a Board has been fixed, I do not think, Sir, there should have been any misapprehension in the mind of my honourable friend, Mr. Santosh Kumar Basu. Sir, it is in reference to those cases that we seek to deal with, under the Debtors Act and from that point of view that this amendment moved by him is unnecessary and I hope my friend will kindly withdraw the amendment. Otherwise I must oppose it.

The motion of Rai Harendra Nath Chaudhuri moved by Mr. Santosh Kumar Basu that in clause 2(*1*), in proposed clause (*6A*) of section 2 of the Act, in lines 3 to 5, the words "and includes any court exercising appellate or provisional jurisdiction over any such court" be omitted, was then put and lost.

Mr. SPEAKER: Amendment Nos. 3, 4 do not arise. It is beyond the scope of the present Bill.

The motion that the Assembly agree to the amendments made by the Legislative Council was then put and agreed to.

Mr. SPEAKER: A message may be sent accordingly.

Now we shall hurriedly dispose of the remaining items on the agenda.

The Inland Steam-vessels (Bengal Amendment) Bill, 1939.

The Hon'ble Mr. H. S. SUHRAWARDY: Sir, I beg to move that the Inland Steam-vessels (Bengal Amendment) Bill, 1939, as passed by the Bengal Legislative Council, be taken into consideration. The object of this Bill is to recover costs from the parties who are at fault.

The motion was then put and agreed to.

Clause 1.

The question that clause 1 stand part of the Bill was then put and agreed to.

Clauses 2 and 3.

The question that clauses 2 and 3 stand part of the Bill was then put and agreed to.

Preamble.

The question that the Preamble stand part of the Bill was then put and agreed to.

The Hon'ble Mr. H. S. SUHRAWARDY: Sir, I beg to move that the Inland Steam-vessels (Bengal Amendment) Bill, 1939, as settled in the Assembly, be passed.

The motion was then put and agreed to.

The Bengal Workmen's Protection (Amendment) Bill, 1939.

The Hon'ble Mr. H. S. SUHRAWARDY: Sir, I beg to move that the Bengal Workmen's Protection (Amendment) Bill, 1939, as passed by the Bengal Legislative Council, be taken into consideration.

The purpose of this Bill——

(Mr. Speaker was going to put the motion.)

Mr. NIHARENDU DUTTA MAZUMDAR: Sir, the Hon'ble Minister was going to explain something. We would like to hear what he has got to say.

Mr. SPEAKER: All right.

The Hon'ble Mr. H. S. SUHRAWARDY: Sir, I only wanted to say that the purpose of this Bill is to protect workmen at or near the place where they work and receive their pay. The Bill, as it stands, namely, without the amendment, protects workmen at the place where they receive their wages. But it often happens that workmen receive their pay at places different from where they work and are beset by creditors. We want to penalise such creditors who beset workmen at the time of the receipt of their wages.

Dr. SURESH CHANDRA BANERJEE: Sir, I am afraid I cannot congratulate the Hon'ble Minister for the way in which he has introduced this Bill. The original Bill, of which the present one is only an amendment, was passed in 1934; and the differences between that Bill and this Bill are two. In the first place, in the original Bill, those who loiter about a place of work could be punished, whereas in the present Bill it is said that those who loiter at or near any place of work as well as the persons who loiter about a place where workmen get their wages will be punished. Another thing that has been introduced in the present Bill is that the fine has been fixed up to Rs. 250.

Now, Sir, the original background of the Bill is the recommendation of the Royal Commission on Labour. The recommendation was made in 1927. When the Royal Commission came to India they saw the actual conditions of the labourers and they also saw a large number of *Kabulis* with big *lathis* loitering about factory areas and by force or by threat trying to realise money from the workers as soon as they got their wages, as their first charge on the wages. In 1934 came the first Bill, and after six years the Hon'ble Minister comes with this amendment, but what is the object, Sir? The main object is protection of workmen. Protection as regards what? Protection as regards the wages, so that the money which workmen earn enduring so much hardship may not be taken away from them by anybody.

The Bill of 1934 gave some sort of protection but we, who know the conditions of the labourers very well, know how the labourers are squeezed out, not only by those who loiter about in this way like the *Kabulis* but also by others who live in the lines and also by those who live outside the lines. No protection has been given to the labourers from these men. So, this Bill ought to have been much more widened and something more ought to have been added, so that there might be real protection. Workmen get practically very little protection nowadays, and so I cannot congratulate the Hon'ble Labour Minister for what he has done. He ought to have more imagination, more sympathy and more knowledge of the actual conditions of the workmen and come forward with a better Bill. We are passing through the fourth year of the Provincial Autonomy, and during this period we have practically got only one Bill, namely, the Maternity Bill. The Hon'ble the Labour Minister has not introduced any other Bill. In India we proceed very slowly on labour questions. After 5 or 6 years the Hon'ble Minister for Labour ought to have come with a better Bill. So, as I have said before—I do not want to inflict a long speech on the House at this late hour—I cannot congratulate the Hon'ble the Labour Minister for what he has done.

Mr. NIHARENDU DUTTA MAZUMDAR: Sir, we would like to have elucidation on one or two points from the Hon'ble Minister. The point which has been pertinently raised by my friend, Dr. Banerjee, is a very important point. The Hon'ble Minister is aware that a practice is in vogue of making illegal deductions out of the workers' wages at the time of payment of such wages by sirdars and intermediary persons who are employed by the employers directly under them. A case in point in this connection, as the Hon'ble Minister is himself aware, is the system of payment of wages in dock areas where certain rates of wages are scheduled as a result of an agreement to which the Hon'ble Minister was himself a party at one time. The Hon'ble Minister proclaimed in this very House on a previous occasion that the conditions prevailing there were very bad indeed. The workmen are left without any protection as against these exactions. Would the provisions in this Bill cover these cases whereby dock workers for instance may be paid their wages,—may be paid the full amount which is scheduled for them, or would this case be left outside the purview of the Bill? In that case they would be left though not at the mercy of the *Kabulis* loitering about with big *lathis* as was described by my friend, but at the mercy of some other people in the employ of stevedores or similar other self-appointed creditors in jute mills such as the jobbers and sirdars.

Mr. SPEAKER: You can take it from me that this Bill is not intended for that.

Mr. NIHARENDU DUTTA MAZUMDAR: In that case I would like to know to what extent in actual practice protection will be given to the workmen in respect of payment of wages that are due to them. Can they receive full payment of their wages? I want to know what the Hon'ble the Labour Minister proposes to do in this connection and I would like to have it hot from the horse's own mouth. (Laughter.)

Mr. SPEAKER: If the horse rises, I won't say "No". (Renewed laughter.)

The Hon'ble Mr. H. S. SUHRAWARDY: Sir, I do not think this will cover the case of a person who pays wages, deducting it at the source but this will certainly cover the cases of persons being victimised outside, say, the municipal office, by jamadars and others, and the Shipping Office, by serangs and the *lathiwalas*. So this class of persons will be saved. Regarding the dock labourers about whom my friend has spoken I am taking other steps.

The motion of the Hon'ble Mr. H. S. Suhrawardy that the Bengal Workmen's Protection (Amendment) Bill, 1939, as passed by the Bengal Legislative Council, be taken into consideration, was then put and agreed to.

Clause 1.

The question that clause 1 stand part of the Bill, was then put and agreed to.

Clauses 2 and 3.

The question that clauses 2 and 3 stand part of the Bill, was then put and agreed to.

Preamble.

The question that the Preamble stand part of the Bill, was then put and agreed to.

The Hon'ble Mr. H. S. SUHRAWARDY: Sir, I beg to move that the Bengal Workmen's Protection (Amendment) Bill, 1939, as settled in the Assembly be passed.

The motion then was put and agreed to.

The Official Trustees (Bengal Amendment) Bill, 1939.

The Hon'ble Nawab MUSHARRUF HOSSAIN, Khan Bahadur: Sir, I beg to move that the Official Trustees (Bengal Amendment) Bill, 1939, as reported by the Select Committee, be taken into consideration.

The motion was then put and agreed to.

Clauses 1, 2 and 3.

The question that clauses 1, 2 and 3 stand part of the Bill was then put and agreed to.

Preamble.

The question that the Preamble stand part of the Bill was put and agreed to.

The Hon'ble Nawab MUSHARRUF HOSSAIN, Khan Bahadur: Sir, I beg to move that the Bill, as settled in the Assembly, be passed.

Mr. JOGESH CHANDRA GUPTA: One speech at least, Nawab Sahib!

The motion was then put and agreed to.

The Administrator-General's (Bengal Amendment) Bill, 1939.

The Hon'ble Nawab MUSHARRUF HOSSAIN, Khan Bahadur: Sir, I beg to move that the Administrator-General's (Bengal Amendment) Bill as reported by the Select Committee be taken into consideration.

The motion was put and agreed to.

Clauses 1 to 5, 7-10.

The question that clauses 1, 2, 3, 4, 5, 7, 8, 9 and 10 stand part of the Bill, was then put and agreed to.

Preamble.

The question that the Preamble stand part of the Bill was then put and agreed to.

The Hon'ble Nawab MUSHARRUF HOSSAIN, Khan Bahadur: Sir, I beg to move that the Bill as settled in the Assembly be passed.

Mr. SANTOSH KUMAR BASU: One speech at least this time, Nawab Sahib!

Mr. SPEAKER: Nawab Sahib, you should at least explain what is the object of the Bill!

The Hon'ble Nawab MUSHARRUF HOSSAIN, Khan Bahadur: My friends you have so kindly expressed a desire to hear me make a speech. So I must speak a few words of thanks for the patience you have shown in passing my two Bills in quick succession. I am really very grateful to you gentlemen for what you have done and I hope——

(Cries of "not only gentlemen but there are ladies also".)

So long I was under the impression that there were only two ladies sitting on my left, but now I see that my friend Basanta's wife is here——(Laughter.)

I again thank you in conclusion for the great indulgence you have shown me by passing my two Bills without opposition.

Mr. SURENDRA NATH BISWAS: Sir, before you put the third reading motion to the vote may I say that we can only support the Nawab Sahib's motion if he only agrees to give us three more dinners!

The question that the Administrator-General's (Bengal Amendment) Bill, 1939, as settled in the Assembly be passed, was put and agreed to.

Adjournment.

It being 10-30 p.m.—

The Assembly was adjourned till 4-45 p.m. on Wednesday, the 13th March, 1940, at the Assembly House, Calcutta.

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